

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION

BOARD ORDER NO. R6T- 2009- (TENTATIVE)

**CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS**

**FOR**

**WASTE DISCHARGES RESULTING FROM  
TIMBER HARVEST AND VEGETATION MANAGEMENT ACTIVITIES  
IN THE LAHONTAN REGION  
"2009 TIMBER WAIVER"**

Modoc, Lassen, Plumas, Sierra, Nevada, Placer, El Dorado, Alpine, Mono, Inyo,  
San Bernardino, Kern, and Los Angeles Counties

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**A. FINDINGS**

WHEREAS the California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. California Water Code (Water Code) section 13260, subdivision (a) requires that any person discharging waste or proposing to discharge waste (including waste earthen and organic materials) within any region that could affect the quality of the waters of the state, other than into a community sewer system, shall file with the appropriate Water Board a Report of Waste Discharge containing information which may be required by the Water Board.

2. Water Code section 13263, subdivision (a) requires the Water Board to prescribe requirements for activities that could affect the quality and beneficial uses of waters of the state within the Lahontan Region. The Water Board has identified wastes associated with timber harvest and vegetation management activities (as defined in Attachment A) as having a potential effect on water quality.
3. Projects eligible for this Timber Waiver range from fuel reduction work conducted around existing structures to commercial timber harvest. The types of operations associated with these projects vary in potential threat to water quality. For example, project characteristics such as method of tree removal, intensity and proximity of operations to waterbodies, and sensitivity of areas proposed for operations will influence the mitigation measures needed to ensure the project will have a less-than-significant impact on water quality and the environment. The types of projects that are eligible for this Timber Waiver have been divided into six categories to address the diversity of vegetation management and timber harvest activities and the associated scale of conditions. Segregating these types of operations into categories is intended to assist project proponents (dischargers) in identifying eligibility criteria and conditions that apply to their particular project. Table 1 summarizes the six categories of timber harvest and vegetation management activities eligible for the Timber Waiver.

**Table 1: Summary of Timber Harvest and Vegetation Management Categories.**

Category	Type of timber harvest and vegetation management activities	Notification, application, and monitoring requirements	Application processing timeline
1	Timber removal associated with defensible space, defense zone, forest fire prevention, and construction activities	No notification, application or monitoring.	None
2	Timber harvest and vegetation management activities conducted by hand crews, including thinning operations and prescribed burning outside Waterbody Buffer Zones		
3	Planned post fire rehabilitation conducted by a public agency	Written notification within 7 days of initiation. No monitoring required as part of Timber Waiver.	

Category	Type of timber harvest and vegetation management activities	Notification, application, and monitoring requirements	Application processing timeline
4	Timber harvest and vegetation management activities which rely on existing roads, meet 10 criteria, and may include winter period operations	Application, implementation monitoring and reporting, and Project Completion Form submittals required. Winter monitoring required only if equipment is operated between October 16 and April 30.	Work may begin 5 working days following receipt of application by Water Board.
5	CAL FIRE – approved Plans	Application, monitoring and reporting, and Project Completion Form submittals required.	
6	Timber harvest and vegetation management activities that do not qualify for categories 1-5, and may include activities within 100-year floodplains or Stream Environment Zones	Application, monitoring and reporting, and Project Completion Form submittals required	Application submitted at least <b>30 days</b> before beginning work.

4. The provisions of Water Code section 13260, subdivisions (a) and (c); section 13263, subdivision (a); or section 13264 subdivision (a) may be waived by the Water Board pursuant to Water Code section 13269 for a specific type of discharge if the Water Board determines, after any necessary meeting, that the waiver is consistent with the Water Quality Control Plan for the Lahontan Region (Basin Plan) and is in the public interest.
5. Water Code section 13269 includes the following provisions:
  - (a) The waiver may not exceed five years in duration, but may be renewed by the Water Board.
  - (b) The waiver shall be conditional and may be terminated at any time by the Water Board.
  - (c) The conditions of the waiver shall include the performance of agency, individual, group, or watershed-based monitoring, unless waived because the Water Board determines that the discharges do not pose a significant threat to water quality.
  - (d) Monitoring requirements shall be designed to support the development and implementation of the waiver program, including, but not limited to, verifying the adequacy and effectiveness of the waiver's conditions.
  - (e) In establishing monitoring requirements, the Water Board may consider the volume, duration, frequency, and constituents of the discharge; the extent and type

of existing monitoring activities, including, but not limited to, existing watershed-based compliance and effectiveness monitoring efforts; the size of the project area; and other relevant factors.

- (f) Monitoring results shall be made available to the public.
- (g) The Water Board may include as a condition of a waiver the payment of an annual fee established by the State Water Resources Control Board (State Water Board). (At the time of adoption of this Timber Waiver, the State Water Board has not established annual fee regulations with respect to timber harvest and vegetation management activities).

6. Pursuant to Water Code section 13269, subdivision (a)(3), the Water Board may waive monitoring requirements for discharges that it determines do not pose a significant threat to water quality.

- (a) For Category 1, the Water Board waives monitoring requirements. Category 1 covers only those projects:
  - i. conducted near structures, or in or near areas zoned as residential, commercial or industrial. Due to their limited scale and typical location, the Water Board finds that these activities do not pose a significant threat to water quality.
  - ii. conducted under a Forest Fire Prevention Exemption issued by the California Department of Forestry and Fire Protection (CAL FIRE) pursuant to California Code of Regulations, title 14, section 1038, subdivision (i). These activities are subject to CAL FIRE requirements that limit these activities such that they do not pose a significant threat to water quality.
- (b) For Category 2, the Water Board waives monitoring requirements. Category 2 covers only those projects that are conducted by hand crews and low-ground-pressure chippers and brush mowers. The Water Board finds that discharges from timber harvest and vegetation management activities that comply with the criteria and conditions for Category 2 do not pose a significant threat to water quality.
- (c) For Category 3, the Water Board waives monitoring requirements. Category 3 applies only to those projects conducted for post-fire rehabilitation, and covers activities to minimize threats to life, property, water quality, and natural and cultural resources. As such, these projects are specifically intended to decrease discharges that may pose a significant threat to water quality. The Water Board finds that discharges from timber harvest and vegetation management activities conducted under Category 3 do not pose a significant threat to water quality.
- (d) For Category 4, the Water Board waives effectiveness and forensic monitoring requirements; however, implementation monitoring is required. Category 4 applies only to activities that are limited to existing roads and limited winter-period operations. Category 4 contains criteria and conditions to limit impacts to soils and water quality. The Water Board finds that discharges from timber harvest and vegetation management activities that comply with the criteria and conditions for Category 4 do not pose a significant threat to water quality.

7. On February 14, 2007, in accordance with Water Code section 13269, the Water Board adopted Resolution No. R6T-2007-0008 which revised the previous conditional waiver of waste discharge requirements for discharges related to timber harvest activities in the Lahontan Region (Resolution No. R6T-2003-0001). The Water Board is considering a revised Timber Waiver that will replace Resolution No. R6T-2007-0008 to address:
  - (a) requests made by the Water Board,
  - (b) requests made by the regulated public and agencies, and
  - (c) the May 2008 Proclamation by the Governor of California encouraging the Water Board to consider recommendations made by the California-Nevada Tahoe Basin Fire Commission to implement actions to improve planning and streamline regulatory processes following the 2007 Angora fire in South Lake Tahoe.
8. As noted in Attachment A, which is incorporated into this Timber Waiver, certain terms used in this Timber Waiver have a specific, regulatory definition. The definition of these terms as listed in Attachment A may differ from common, dictionary definitions. All other terms shall have the same definitions as prescribed by the California Forest Practice Rules (California Code of Regulations, title 14, section 895.1 et seq.), Public Resources Code section 4528, subdivision (f), and Water Code section 13000 et seq.), unless specified otherwise.
9. "Timber harvest and vegetation management activities" means all activities related to the management of vegetation for the purposes of: fuel reduction; forest thinning; and/or environmental improvement (such as forest enhancement, riparian enhancement, and aspen stand enhancement); prescribed burning; cutting or removal of trees and vegetation, together with all the work incidental thereto, including, but not limited to, construction, reconstruction, maintenance, and decommissioning of roads, fuel breaks, stream crossings, landings, skid trails, or beds for the falling of trees; burned area rehabilitation, hazard tree removal; site preparation that involves disturbance of soil, burning of vegetation, or herbicide/pesticide application. Vegetation management activities **do not** include pruning, grass cutting, aquatic vegetation management, preparatory tree marking, surveying, or road flagging.
10. "Discharger" means the landowner(s), any duly authorized representative of the landowner(s), and anyone working on behalf of the landowner(s) in the conduct of timber harvest and vegetation management. Discharger includes any "person" as that term is defined by Water Code section 13050, subdivision (c).
11. The specific types of discharges of waste this Timber Waiver regulates include, but are not limited to, earthen materials (such as soil, silt, sand, clay, and rock), organic materials (such as slash, sawdust, bark, and ash), and herbicides, resulting from certain timber harvest and vegetation management activities in the Lahontan Region.
12. The Water Board adopted the Water Quality Control Plan for the Lahontan Region (Basin Plan) that establishes beneficial uses, water quality objectives, waste discharge prohibitions, and implementation policies that apply to waters of the state

and waste discharges to waters of the state within the Lahontan Region. The Basin Plan contains water quality objectives developed to protect the waters for the listed beneficial uses. The factors in Water Code section 13241, including economic considerations, were considered as required during the development of water quality objectives. Prohibitions, provisions, and conditions contained in this Timber Waiver implement these previously developed water quality objectives. Compliance with water quality objectives will protect the waters for beneficial uses as identified in the Basin Plan.

13. State Water Board Resolution No. 68-16 ("Statement of Policy with Respect to Maintenance of High Quality Waters in California") requires that the Water Board regulate discharges of waste to waters of the state to achieve the highest water quality consistent with maximum benefit to the people of the state. It further requires that discharges meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that pollution or nuisance will not occur and that the highest water quality consistent with maximum benefit to the people of the state will be maintained. This Timber Waiver is consistent with Resolution No. 68-16 because it requires compliance with applicable water quality control plans, including applicable water quality objectives, prohibits the creation of pollution or nuisance, and sets forth conditions that require the implementation of additional management practices (in addition to those required in the California Forest Practice Rules [California Code of Regulations, title 14, section 895.1 et seq] and U.S. Forest Service Best Management Practices guidance manuals) to assure protection of beneficial uses of waters of the state and maintaining the highest water quality consistent with maximum benefit to the people of the state.
14. The Timber Waiver is consistent with the Basin Plan and is in the public interest as described below:
  - (a) Compliance with the conditions of the Timber Waiver will result in protection of water quality.
  - (b) Project proponents (dischargers) can implement timber harvest and vegetation management activities if the Water Board has not prescribed waste discharge requirements and 140 days has elapsed since a complete report of waste discharge has been submitted. Due to limited staff resources very few projects would be regulated. The Timber Waiver is a regulatory option that can be used by the Water Board to address a greater percentage of timber harvest activities thereby imposing enforceable conditions.
  - (c) Forest fuel hazard reduction efforts have increased statewide to address the current and growing fire threat from decades of fire suppression. This revised Timber Waiver will respond to the need for expedited permitting for lower-impact fuels hazard reduction and forest enhancement projects, while still maintaining water quality protection through conditions and a monitoring program (under certain circumstances) as described in the Timber Waiver. This approach balances the need to reduce fire risk quickly while ensuring appropriate management practices and mitigation for water quality impacts are still implemented.
  - (d) The Timber Waiver contains conditions requiring compliance with monitoring and

reporting programs for some categories of activities based on the level of potential threat to water quality pursuant to Water Code section 13267, subdivision (b)(1). The required monitoring will assist in the protection of water quality and in the verification of the adequacy and effectiveness of Timber Waiver conditions pursuant to Water Code section 13269, subdivision (3).

- (e) The Timber Waiver contains conditions that require compliance with the Basin Plan.
  - (f) The Timber Waiver prohibits the creation of a nuisance or pollution as defined in Water Code section 13050.
  - (g) Violations of Timber Waiver conditions are subject to enforcement remedies pursuant to Water Code section 13350 in the same manner as enforcement of waste discharge requirements.
  - (h) Water Board staff will continue to participate in the pre-harvest review of proposed timber activities under the California Forest Practice Act Rules and Regulations, allowing implementation of water quality protective measures beyond those required by California Forest Practice Act Rules and Regulations.
15. This Timber Waiver shall not create a vested right to discharge waste and all such discharges shall be considered a privilege, as provided for in Water Code section 13263, subdivision (g). The Water Board Executive Officer may terminate the applicability of the Timber Waiver described herein to any Timber Waiver activities at any time when such termination is in the public interest and/or the activities could affect the quality of waters of the state for beneficial uses.
16. The Water Board has prepared a Mitigated Negative Declaration with regard to the Timber Waiver in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) and state CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.), and has considered the Mitigated Negative Declaration and determined there will be no significant adverse impacts to the environment from waiving waste discharge requirements for the categories of projects specified herein. The Water Board hereby certifies the Mitigated Negative Declaration for this Timber Waiver. The Executive Officer shall file all appropriate notices.
17. The Water Board held a public hearing on March 11-12, 2009, in South Lake Tahoe, California, and considered all evidence concerning this matter.

**IT IS HEREBY ORDERED** that any discharger meeting applicable eligibility criteria and requirements for timber harvest and vegetation management activities in the Lahontan Region regulated by this Timber Waiver must comply with the General Provisions and all applicable conditions of this Timber Waiver, as set forth below.

## **B. GENERAL PROVISIONS**

1. Pursuant to Water Code section 13269, subdivision (a), the Water Board waives requirements to submit reports of waste discharge and obtain waste discharge requirements for persons proposing or conducting timber harvest and vegetation

management activities which meet the eligibility criteria and comply with the conditions and general provisions set forth in this Timber Waiver.

2. The Water Board anticipates that most timber harvest and vegetation management projects will proceed under a single category of the Timber Waiver. However, if a project is phased, or divided geographically, such that portions qualify under Category 1, 2, or 3; and other portions qualify under Category 4, 5, or 6; the discharger has the option of enrolling such phases or portions under different categories. Water Board notification is only required for portions of projects or activities that qualify under Category 4, 5, or 6.
3. The Water Board does not waive the filing of a report of waste discharge or waive waste discharge requirements for persons proposing or conducting timber harvest and vegetation management activities with impacts that are not mitigated to less-than-significant levels, such as those identified in a California Environmental Quality Act environmental impact report, or a National Environmental Policy Act or Tahoe Regional Planning Agency environmental impact statement.
4. Not all timber harvest and vegetation management activities proposed in the Lahontan Region will be eligible for this Timber Waiver. Dischargers proposing activities that are not eligible must file a report of waste discharge with the Water Board pursuant to Water Code section 13260 a minimum of 140 days prior to proposed commencement of discharge (or operations that could result in a waste discharge) pursuant to Water Code section 13264, subdivision (a)(2).
5. This Timber Waiver shall become effective on March 13, 2009, and shall expire on March 13, 2014, unless terminated or renewed by the Water Board. Discharges regulated under this Timber Waiver are not authorized, and waste discharge requirements are not waived, after March 13, 2014, unless this Timber Waiver is renewed by Water Board action.
6. Discharges regulated under the 2007 Waiver of Waste Discharge Requirements for Timber Harvest Activities (Resolution No. R6T-2007-0008) may continue or proceed under that waiver until it expires on February 14, 2012, or may choose to re-apply under this waiver. After March 12, 2009, no new applications for permit coverage under Resolution No. R6T-2007-0008 (the 2007 Timber Waiver) will be accepted.
7. Timber harvest and vegetation management activities approved by the California Department of Forestry and Fire Protection under an Exemption or Emergency Notice may be eligible for coverage under Timber Waiver Categories 1, 2, 3, 4, or 6, depending on the project area and the scope of the proposed activities.
8. For timber harvest and vegetation management activities conducted by the U.S. Forest Service, the Water Board finds that the U.S. Forest Service's Best Management Practices Evaluation Program (BMPEP) fulfills, in part, Timber Waiver monitoring and reporting requirements for Timber Waiver Categories 4 and 6. Monitoring and reporting requirements in addition to the BMPEP that must be



undertaken by the U.S. Forest Service in order to satisfy all monitoring and reporting requirements include implementation monitoring, and focused “high risk” effectiveness monitoring for projects that are located in watersheds that are at or above the Threshold of Concern (as determined by the U.S. Forest Service’s cumulative watershed effects analysis), or on the Clean Water Act section 303(d) list for sediment impairment. Additional details on specific U.S. Forest Service requirements are described in Attachment O, *Monitoring and Reporting Program for U.S. Forest Service Projects Enrolled Under Timber Waiver Categories 4 or 6*.

### **C. GENERAL CONDITIONS**

1. Timber harvest and vegetation management activities must be conducted in compliance with the Basin Plan, as amended, and other applicable laws, regulations and plans governing timber harvest and vegetation management activities.
2. Timber harvest and vegetation management activities conducted under the Timber Waiver must comply with the category-specific eligibility criteria and conditions, including monitoring and reporting requirements where specified. The discharger must conduct the project in accordance with information submitted in the application for waiver coverage, if one is required. For Categories 4, 5, and 6, the discharger must conduct monitoring and reporting pursuant to Water Code section 13267.
3. Timber harvest and vegetation management activities must be conducted in accordance with any mitigation and monitoring plans developed as part of complying with the California Environmental Quality Act, National Environmental Policy Act, California Forest Practice Act Rules and Regulations, and/or Tahoe Regional Planning Agency environmental analysis requirements.
4. Timber harvest and vegetation management activities subject to this Timber Waiver must not create a pollution, contamination, or nuisance, as defined by Water Code section 13050, subdivisions (k), (l), and (m).
5. All equipment used must be monitored for leaks, and removed from service if necessary to protect water quality. All spills must be immediately contained and spilled materials and/or contaminated soils must be properly disposed. An emergency spill kit adequate to contain spills that could result from equipment on-site must be at the project site at all times of equipment use.
6. This Timber Waiver does not permit any illegal activity, and does not preclude the need for permits which may be required by other governmental agencies, or other approvals by the Water Board such as discharges subject to a National Pollutant Discharge Elimination System (NPDES) permit under the Clean Water Act, including silvicultural point sources as defined in 40 Code of Federal Regulations, section 122.27. This waiver is not a substitute for state water quality certification under section 401 of the federal Clean Water Act which is required if a federal Clean Water Act section 404 permit is required.

7. Pursuant to Water Code section 13267, subdivision (b) and Water Code section 13269, subdivision (a), any proposed material change to the timber harvest and vegetation management activities proceeding under the Timber Waiver must be reported to Water Board staff in advance of implementation of any such change. Material changes include:
  - (a) Change of project location or size,
  - (b) Change to proposed winter period operations,
  - (c) Relocation or addition of watercourse crossings,
  - (d) Changes that result in the project qualifying under a different category,
  - (e) Changes that result in the project no longer qualifying for the waiver.
8. **Condition for activities within the Little Truckee, Truckee River or Lake Tahoe hydrologic units only:** If timber harvest and vegetation management activities are planned within 100-year floodplains of the Little Truckee or Truckee River hydrologic unit, or 100-year floodplains or Stream Environment Zones of the Lake Tahoe hydrologic unit, waste discharge prohibitions may apply. Review Attachment N to verify if any proposed activities would need a Basin Plan prohibition exemption prior to proceeding.
9. Water Board staff must be allowed reasonable access onto property where timber harvest and vegetation management activities are proposed, or are being conducted, or have been terminated or completed, for the purpose of performing inspections and conducting monitoring. Inspections and monitoring may include sample collection, measuring, and photographing/taping to determine compliance with waiver conditions and eligibility criteria. Such inspections and monitoring are consistent with Water Code section 13267(c), Public Resources Code section 4604(b)(1), and other applicable laws.

Prior to entering the property, Water Board staff will attempt to contact the site owner, persons performing the timber harvest and vegetation management activities, or other on-site representative(s) in order to inform the landowner or persons onsite of each inspection, and to discuss any safety considerations. If consent to access to property is unreasonably withheld, the Executive Officer may terminate the applicability of the Timber Waiver.
10. **Condition for Categories 4, 5, or 6:** For the purpose of observing, inspecting, photographing, digitally recording or video taping, measuring, and/or collecting samples or other monitoring information to document compliance or non-compliance with the eligibility criteria, conditions, or provisions of this Timber Waiver, dischargers agree to allow Water Board staff:
  - (a) Entry at any time, with or without advance notice, onto: (1) the real property where timber harvest and vegetation management activities covered under this Timber Waiver are proposed, are being conducted, or have concluded; and (2) any and all outdoor areas in the control or ownership of the discharger, in the vicinity of and downstream of timber harvest and vegetation management activities.

- (b) Access to and permission to copy any record required to be kept under the conditions of this Timber Waiver, including, but not limited to, any self-monitoring records and/or equipment used to fulfill monitoring requirements.

#### **D. TIMBER WAIVER CATEGORIES**

<b>Category 1: Defensible space and construction activities</b>
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Eligibility Criteria:

Timber harvest and vegetation management activities which may proceed under this category are those:

- (1) Undertaken to comply with state, local, or county defensible space requirements, including California Public Resources Code (PRC) section 4291 requirements.
- (2) On undeveloped lots (as defined in Attachment A) up to three acres in size for the purpose of fuels reduction and/or construction activities.
- (3) Conducted on public lands to provide up to a 300-foot defense zone adjacent to subdivision boundaries, private parcel lot lines, and/or around structures and facilities (not including linear features such as roads, trails, or utility corridors).
- (4) Projects conducted under a CAL FIRE – issued Forest Fire Prevention Exemption and in compliance with California Code of Regulations, title 14, section 1038, subdivision (i).

Conditions:

Dischargers conducting timber harvest and vegetation management activities meeting the eligibility criteria listed above are not required to notify, apply, or report monitoring to, the Water Board if they comply with the following conditions:

- (1) All areas disturbed by timber harvest and vegetation management activities must be stabilized (as defined in Attachment A) at the conclusion of operations or before October 15 (whichever is sooner).
- (2) Equipment, including tractors and vehicles, must not be driven across watercourses (including dry ephemeral streams) except over existing watercourse crossings.
- (3) Felled trees and harvest debris must be kept out of all waterbodies.
- (4) The operation of equipment, including tractors and vehicles, shall minimize soil disturbance to the maximum extent practicable.
- (5) No tractor, vehicle, or equipment use on saturated soils.
- (6) All timber harvest and vegetation management activities conducted under Category 1 must comply with the General Conditions of this Timber Waiver and meet the category-specific eligibility criteria listed above.

**Category 2: Timber harvest and vegetation management activities conducted by hand crews (defined in Attachment A), including thinning operations and prescribed burning**

Eligibility Criteria:

Timber harvest and vegetation management activities which may proceed under this category must meet the following eligibility criteria:

- (1) Vegetation management activities shall be conducted primarily by hand. Chippers and brush mowers may be used to assist hand crews. Other equipment may be used to transport hand crews and vegetation.
- (2) Tractor, vehicle, and equipment access shall be limited to existing roads with the following exceptions:
  - a. Chippers and brush mowers with ground pressures less than 10 pounds per square inch (psi) and
  - b. Single passenger all-terrain vehicles (ATVs) or snowmobiles.
- (3) No construction of new landings.

Conditions:

Dischargers conducting timber harvest and vegetation management activities meeting the eligibility criteria listed above are not required to notify, apply, or report monitoring to the Water Board if they comply with the following conditions:

- (1) On existing roads, tractors, vehicles, low-ground-pressure chippers or other equipment shall not be operated during saturated soil conditions (as defined in Attachment A).
- (2) Operation of ATVs, chippers and brush mowers off roads must only occur:
  - a. When soils are dry (as defined in Attachment A), or
  - b. When hard-frozen soil conditions (as defined in Attachment A) exist, or
  - c. When snow depth is sufficient to not allow visible disturbance of soils, AND
  - d. At distances greater than 25 feet from a waterbody.
- (3) Prior to the commencement of timber harvest and vegetation management activities within Waterbody Buffer Zones (as defined in Attachment B), trees with a DBH<sup>1</sup> greater than 3 inches planned for removal, or trees designated for retention, must be marked (including a base mark below the cutline) by either a:
  - a. Registered Professional Forester or supervised designee, or
  - b. Federal Forestry Professional (as defined in Attachment A) or supervised designee.
- (4) Timber harvest and vegetation management activities must not cause or create erosion, destabilization of stream banks, temperature increases in waterbodies, disturbance to non-target Waterbody Buffer Zone vegetation, or concentrated surface runoff.

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<sup>1</sup> DBH (Diameter at Breast Height) means the diameter of the tree measured outside bark, at breast height, a point 4.5 feet (1.37 m) above ground level.

- (5) All areas disturbed by timber harvest and vegetation management activities must be stabilized (as defined in Attachment A) at the conclusion of operations or before October 15 (whichever is sooner).
- (6) Chipped material must not be discharged to waterbodies, or be deposited in locations where chips may discharge to waterbodies. Within Waterbody Buffer Zones chipped material must not exceed an average of two inches in depth, with a maximum depth of four inches.
- (7) The following conditions apply to prescribed burning:
  - a. If fuel breaks are constructed, effective waterbreaks must be constructed at the end of burning operations or prior to sunset if the National Weather Service forecast is a “chance” (30% or more) of rain within the next 24 hours.
  - b. No placement or burning of burn piles (as defined Attachment A) within Waterbody Buffer Zones (as defined in Attachment A), Stream Environment Zones in the Lake Tahoe hydrologic unit, or 100-year floodplains in the Little Truckee, Truckee River or Lake Tahoe hydrologic units.
  - c. Prescribed burns (as defined in Attachment A) are allowed as long as the prescription does not include burning within Waterbody Buffer Zones.(Note: Burning within Waterbody Buffer Zones can be authorized pursuant to an activity-specific notification under Category 4 or 6. See General Provision 2 on page 8.)
- (8) All timber harvest and vegetation management activities conducted under Category 2 must comply with the General Conditions of this Timber Waiver and meet the category-specific eligibility criteria listed above.

### **Category 3: Post-fire emergency rehabilitation**

#### Eligibility Criteria:

Timber harvest and vegetation management activities implemented to minimize threats to life or property, and/or to stabilize and prevent unacceptable degradation to natural and cultural resources resulting from the effects of a wildfire, and suppression of a wildfire. Activities initiated<sup>2</sup> more than 120 days following control of a wildfire are not eligible for Category 3. Non-emergency activities are not eligible for Category 3.

#### Conditions:

- (1) Public agencies conducting activities described above must contact Water Board staff in writing within seven (7) days of initiating these activities and provide the location and a description of the activities being conducted.
- (2) **Condition for activities within the Little Truckee, Truckee River or Lake Tahoe hydrologic units only:** If timber harvest and vegetation management activities are planned within 100-year floodplains of the Little Truckee or Truckee River hydrologic units, or 100-year floodplains or Stream Environment Zones of the Lake Tahoe hydrologic, waste discharge prohibitions may apply. Review Attachment N to verify if any proposed activities would need a Basin Plan prohibition exemption prior to proceeding.

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<sup>2</sup> For the purposes of this Timber Waiver, activities can be “initiated with the planning process, and not necessarily on-the-ground implementation of planned activities.

**Category 4: Timber harvest and vegetation management activities which rely on existing roads, meet the following 10 criteria, and may include winter-period operations**

Eligibility Criteria:

Timber harvest and vegetation management activities which may proceed under this category must meet the following eligibility criteria:

- (1) No construction of new roads.
- (2) No construction of new watercourse crossings except for the construction of over-snow watercourse crossings.
- (3) No widening of watercourse crossings or road surfaces.
- (4) No tractor, vehicle, or equipment operations within Waterbody Buffer Zones (as defined in Attachment B), meadows, or wet areas, except for:
  - a. Use and maintenance of existing roads, or
  - b. Over-snow, or
  - c. Use of equipment with ground pressures less than 13 pounds per square inch (psi).
- (5) No timber harvest or vegetation management activities on slopes greater than 60%.
- (6) No tractor, vehicle, or equipment operations on slopes greater than 50%.
- (7) No construction of new skid trails on slopes greater than 40%, except over-snow operations.
- (8) No construction of landings on slopes greater than 20%.
- (9) No tractor, vehicle, or equipment operations on soils with high or extreme erosion hazard rating, known slides, or unstable areas, except over-snow operations.
- (10) No timber harvest or vegetation management activities that include the application of herbicides (except the dry application of borax and/or sporax directly to tree stumps).

Conditions:

Dischargers conducting timber harvest and vegetation management activities meeting the eligibility criteria listed above must comply with the following conditions in order to proceed under this Timber Waiver:

- (1) Submit a complete Category 4 Application Form (Attachment C). Timber harvest and vegetation management activities may begin upon verification from Water Board staff that an application was received as determined by a notice of receipt from Water Board staff or by confirmation of delivery by the United States Postal Service or other private carrier.
- (2) Pursuant to Water Code section 13267, **Implementation monitoring**, as described in the Category 4 Implementation Monitoring Form (Attachment D), must be completed before November 15 of every year for the duration of project activities. Monitoring information must be submitted to the Water Board by January 15 of the following year.

- (3) Pursuant to Water Code section 13267, if tractor, vehicle, or equipment operations occur between October 16 and April 30, the discharger must comply with the Category 4 **Daily Winter-Period Monitoring Program** (Attachment E). Data accumulated during this monitoring must be retained by the discharger and submitted July 15 of every year. Dischargers may request a modified or alternate monitoring and reporting program, subject to approval by the Executive Officer.
- (4) Over-snow watercourse crossings may be constructed as long as they are removed at the conclusion of operations or before a rain event if there is a risk of diversion or obstruction of the natural flow of water within the channel. Removal of such watercourse crossings must be done without disturbing watercourse bed or banks.
- (5) Facilities that cross watercourses that support fish must be installed and maintained so as to allow for unrestricted passage of fish during all life stages.
- (6) Off roads within Waterbody Buffer Zones, operation of equipment with ground pressures less than 13 psi must only occur:
  - a. When soils are dry (as defined in Attachment A), or
  - b. When hard-frozen soil conditions (as defined in Attachment A) exist, or
  - c. When snow depth is sufficient to not allow visible disturbance of soils, AND
  - d. At distances greater than 25 feet from a waterbody.
- (7) Tractor, vehicle, or equipment operations must be limited to:
  - a. Times of the year when soils are not saturated (as defined in Attachment A), or
  - b. Over hard-frozen soil conditions (as defined in Attachment A), or
  - c. When snow depth is sufficient to not allow visible disturbance of soils.
- (8) Prior to the commencement of timber harvest and vegetation management activities within Waterbody Buffer Zones (as defined in Attachment B), trees with a DBH<sup>3</sup> greater than 3 inches planned for removal, or trees designated for retention, must be marked (including a base mark below the cutline) by either a:
  - a. Registered Professional Forester or supervised designee, or
  - b. Federal Forestry Professional (as defined in Attachment A) or supervised designee.
- (9) Timber harvest and vegetation management activities must not cause or create erosion, destabilization of stream banks, temperature increases in waterbodies, disturbance to non-target vegetation within Waterbody Buffer Zones, or concentrated surface runoff.
- (10) Chipped material must not be discharged to waterbodies, or be deposited in locations where chips may discharge to waterbodies. Within Waterbody Buffer Zones chipped material must not exceed an average of two inches in depth, with a maximum depth of four inches.
- (11) All areas disturbed by timber harvest and vegetation management activities must be stabilized (as defined in Attachment A) at the conclusion of operations or before October 15 (whichever is sooner).
- (12) In areas where tractors, vehicles, or equipment are operated over-snow the following must be clearly marked for operator visibility:

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<sup>3</sup> DBH (Diameter at Breast Height) means the diameter of the tree measured outside bark, at breast height, a point 4.5 feet (1.37 m) above ground level.

- a. All waterbodies,
  - b. Culverts, and
  - c. Stream crossings.
- (13) Plowing of roads, landings, and turnouts during over-snow operations must allow for adequate road drainage, and must not:
- a. Expose soils,
  - b. Damage road surfaces and associated drainage structures, or
  - c. Result in concentrated flows of snowmelt and runoff that has the potential to reach a waterbody.
- (14) The following conditions apply to prescribed burning:
- a. Prescribed broadcast burning (as defined in Attachment A) is allowed as long as the prescription does not result in the loss of large woody debris (as defined in Attachment A) which stabilizes soils adjacent to a waterbody.
  - b. Areas burned within Waterbody Buffer Zones must be left in a condition such that ash, soils, and/or debris will not discharge to a waterbody.
  - c. If fuel breaks are constructed, effective waterbreaks must be constructed at the end of burning operations or prior to sunset if the National Weather Service forecast is a "chance" (30% or more) of rain within the next 24 hours.
  - d. No placement or burning of burn piles (as defined in Attachment A) within Waterbody Buffer Zones (as defined in Attachment B), Stream Environment Zones in the Lake Tahoe hydrologic unit, or 100-year floodplains in the Little Truckee, Truckee River or Lake Tahoe hydrologic units.
- (Note: Pile burning within Waterbody Buffer Zones can be authorized pursuant to an activity-specific notification and approval by the Executive Officer under Category 6. See General Provision 2 on page 8.)
- (15) Upon completion of timber harvest or vegetation management activities, dischargers must request termination of coverage under the Timber Waiver in accordance with Attachment M, Notice of Project Completion Form.
- The project and the discharger remain subject to all applicable Timber Waiver criteria and conditions (including required monitoring and reporting) until a Notice is received from Water Board staff terminating coverage under the Timber Waiver. Prior to approving (or declining) termination, Water Board staff may inspect the project area.
- (16) All timber harvest and vegetation management activities conducted under Category 4 must comply with the General Conditions of this Timber Waiver and meet the category-specific eligibility criteria listed above.



**Category 5: CAL FIRE – approved Plans  
(including Timber Harvest Plans, Non-Industrial Timber Management  
Plans, other Plans, and Amendments)**

Eligibility Criteria:

Timber harvest and vegetation management activities eligible under this category must meet the following criteria:

- (1) The Timber Harvest Plan or Nonindustrial Timber Management Plan (Plan) has been approved by the California Department of Forestry and Fire Protection (CAL FIRE).
- (2) If recommendations have been made by Water Board staff during the CAL FIRE Review Team process, they have been incorporated into the approved Plan or the Timber Waiver application.

Conditions:

Dischargers conducting timber harvest and vegetation management activities meeting the eligibility criteria listed above must comply with the following conditions in order to proceed under this Timber Waiver:

- (1) Submit a complete Category 5 Application Form (Attachment F). Timber harvest and vegetation management activities may begin upon verification from Water Board staff that an application was received as determined by a notice of receipt from Water Board staff, or by confirmation of delivery by the United States Postal Service or other private carrier.
- (2) A Registered Professional Forester (RPF) has clearly indicated (within the approved Plan or the Timber Waiver application) whether the following features could be affected by the proposed timber harvest or vegetation management activities:
  - a. Aquatic or wetland habitat
  - b. Known landslides or unstable areas
  - c. Areas of high or extreme erosion hazard rating
  - d. Migrating channels, erodible waterbody banks, overflow channels, flood prone areas, and riparian areas
- (3) An RPF has clearly indicated (within the approved Plan or Timber Waiver application) whether the following are present within the Plan area:
  - a. Overflow channels resulting from the obstruction of stream flow or stream diversions
  - b. Culverts showing evidence of inadequate flow capacity
- (4) An RPF has clearly indicated (within the approved Plan or the Timber Waiver application) whether the following activities are included within the Plan area:
  - a. Skid trails on slopes greater than 40%
  - b. Construction of new watercourse crossings and/or the modification of existing watercourse crossings
  - c. Landings or skid trails (including existing landings and skid trails and/or those to be constructed or reconstructed) proposed for use during timber harvest

- and vegetation management activities for which any portion of the landing or skid trail lies within a Waterbody Buffer Zone (as defined in Attachment B)
- (5) If any of the features or conditions listed above (in conditions 2 through 4) are determined to be present or potentially affected by the proposed timber harvest and vegetation management activities, an RPF must provide within the approved Plan or Timber Waiver application, project modifications and/or mitigation measures to avoid any adverse impact(s) to water quality. The project must be conducted in accordance with the Plan and waiver application.
  - (6) Pursuant to Water Code section 13267, comply with the **Monitoring and Reporting Program** described in the Category 5 Application Form (Attachment F), or as directed by the Executive Officer. Dischargers may request a modified monitoring and reporting program, subject to approval by the Executive Officer.
  - (7) All Class III and Class IV waterbodies shall include an Equipment Limitation Zone (ELZ) of 25 feet, at a minimum, where sideslope steepness is less than 30%, and of 50 feet, at a minimum, where sideslope steepness is 30% or greater.
  - (8) Activities proposed within ELZs must not result in transport of sediment to waterbodies.
  - (9) Facilities that cross watercourses that support fish must be installed and maintained so as to allow for unrestricted passage of fish during all life stages.
  - (10) Culverts at watercourse crossings in which water is flowing at the time of installation shall be installed using methods to temporarily isolate or divert stream flows from the culvert installation area.
  - (11) Permanent watercourse crossings and approaches shall be installed and maintained to accommodate 100-year flood flows and associated debris.
  - (12) Riparian vegetation, other than target species (as defined in Attachment A), that is found along waterbodies, or within or bordering meadows and wet areas, must be retained and protected during timber harvest and vegetation management activities, unless they have been marked for removal by an RPF or supervised designee to achieve fuel reduction goals or riparian forest health.
  - (13) Pursuant to Water Code section 13267, notify the Water Board, in writing, at least 30 days prior to the proposed application of herbicides (except for dry application of borax and/or sporax directly to tree stumps). The written notice must include the following:
    - a. Type of herbicide
    - b. Method and area of application
    - c. Projected date of application
    - d. Measures that will be employed to assure compliance with the Basin PlanSubsequent changes to the proposal must be submitted in writing at least 14 days before the application, unless Water Board staff agrees in writing to a shorter notice period.
  - (14) Pursuant to Water Code section 13267, upon completion of timber harvest or vegetation management activities dischargers must request termination of coverage under the Timber Waiver in accordance with Attachment M, Notice of Project Completion Form.

The project and the discharger remain subject to all applicable Timber Waiver criteria and conditions (including required monitoring and reporting) until a Notice is received from Water Board staff terminating coverage under the Timber Waiver.

Prior to approving (or declining) termination, Water Board staff may inspect the project area.

- (15) Timber harvest and vegetation management activities conducted under Category 5 must comply with the General Conditions of this Timber Waiver and meet the category-specific eligibility criteria listed above.
- (16) **Condition for activities within the Little Truckee, Truckee River or Lake Tahoe hydrologic units only:** If timber harvest and vegetation management activities are planned within 100-year floodplains of the Little Truckee or Truckee River hydrologic units, or 100-year floodplains or Stream Environment Zones of the Lake Tahoe hydrologic, waste discharge prohibitions may apply. Review Attachment N to verify if any proposed activities would need a Basin Plan prohibition exemption prior to proceeding.

**Category 6: Timber harvest and vegetation management activities that do not qualify for categories 1 – 5, and may include activities in 100-year floodplains or Stream Environment Zones.**

Eligibility Criteria:

Timber harvest and vegetation management activities that do not qualify under categories 1 – 5 may be eligible under this category if the discharger adheres to the following conditions.

Conditions:

Dischargers conducting timber harvest and vegetation management activities meeting the eligibility criteria listed above must comply with the following conditions in order to proceed under this Timber Waiver:

- (1) Submit a complete Category 6 Application Form (Attachment K). Timber harvest and vegetation management activities may begin once Water Board staff has notified the discharger that their application is complete, or **30 days** following receipt of an application by Water Board staff as determined by a notice of receipt from the Water Board staff, or by confirmation of delivery by the United States Postal Service or other private carrier.
- (2) A Registered Professional Forester (RPF), or Federal Forestry Professional, has clearly indicated (within certified environmental documents completed in compliance with the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or within the Timber Waiver Application submitted to the Water Board) whether the following features could be affected by the proposed timber harvest and vegetation management activities:
  - a. Aquatic or wetland habitat
  - b. Known landslides or unstable areas
  - c. Areas of high or extreme erosion hazard rating
  - d. Migrating channels, erodible waterbody banks, overflow channels, flood prone areas, and riparian areas
- (3) An RPF, or Federal Forestry Professional, has clearly indicated (within certified CEQA and/or NEPA document(s), or within the Timber Waiver Application)

whether the following are present within the project area:

- a. Overflow channels resulting from the obstruction of stream flow or stream diversions
  - b. Culverts showing evidence of inadequate flow capacity
- (4) An RPF, or Federal Forestry Professional, has clearly indicated (within certified CEQA and/or NEPA document(s), or within the Timber Waiver Application)

whether the following activities are included within the proposed project:

- a. Skid trails on slopes greater than 40%
  - b. Construction of new watercourse crossings and/or modification of existing watercourse crossings
  - c. Landings and skid trails (including existing landings and skid trails and/or those to be constructed or reconstructed) proposed for use during timber harvest and vegetation management activities for which any portion of the landing or skid trail lies within a Waterbody Buffer Zone (as defined in Attachment B)
- (5) If any of the features or conditions listed above (in conditions 2 through 4) are determined to be potentially affected by the proposed timber harvest and vegetation management activities, the discharger must provide in the application, NEPA, and/or CEQA document, project modifications and/or mitigation measures to avoid any adverse impact(s) to water quality. The project must be conducted in accordance with environmental documents (including implementation of design features and mitigation measures), and the waiver application.
- (6) Pursuant to Water Code section 13267, comply with the **Monitoring and Reporting Program** described in the Category 6 Application Form (Attachment K) or as directed by the Executive Officer. Dischargers may request a modified monitoring and reporting program, subject to approval by the Executive Officer.
- (7) Pursuant to Water Code section 13267, if tractor, vehicle, or equipment operations occur between October 16 and April 30, the discharger must comply with the Category 6 **Daily Winter-Period Monitoring Program** (Attachment E). Dischargers may request a modified or alternate monitoring and reporting program, subject to approval by the Executive Officer.
- (8) Over-snow watercourse crossings may be constructed as long as they are removed at the conclusion of operations or before a rain event if there is a risk of diversion or obstruction of the natural flow of water within the channel. Removal of such watercourse crossings must be done without disturbing watercourse bed or banks.
- (9) Tractor, vehicle, or equipment operations must be limited to:
- a. Times of the year when soils are not saturated (as defined in Attachment A), or
  - b. Over hard-frozen soil conditions (as defined in Attachment A), or
  - c. When snow depth is sufficient to not allow visible disturbance of soils.
- (10) All Class III and Class IV waterbodies shall include an Equipment Limitation Zone (ELZ) of 25 feet, at a minimum, where sideslope steepness is less than 30%, and of 50 feet, at a minimum, where sideslope steepness is 30% or greater.
- (11) Activities proposed within ELZs must not result in transport of sediment to waterbodies. Management practices to prevent sediment delivery due to activities in ELZs must be detailed within the Category 6 Application Form.

- (12) All areas disturbed by timber harvest and vegetation management activities must be stabilized (as defined in Attachment A) at the conclusion of operations or before October 15 (whichever is sooner).
- (13) Facilities that cross watercourses that support fish must be installed and maintained so as to allow for unrestricted passage of fish during all life stages.
- (14) Culverts at watercourse crossings in which water is flowing at the time of installation shall be installed using methods to temporarily isolate or divert stream flows from the installation area.
- (15) Permanent watercourse crossings and approaches shall be installed and maintained to accommodate 100-year flood flows and associated debris.
- (16) Prior to the commencement of timber harvest and vegetation management activities within Waterbody Buffer Zones (as defined in Attachment B), trees with a DBH<sup>4</sup> greater than 3 inches planned for removal, or trees designated for retention, must be marked (including a base mark below the cutline) by either a:
  - a. Registered Professional Forester or supervised designee, or
  - b. Federal Forestry Professional (as defined in Attachment A) or supervised designee.
- (17) Riparian vegetation, other than target species (as defined in Attachment A), that is found along waterbodies, or within or bordering meadows and wet areas, must be retained and protected during timber harvest and vegetation management activities.
- (18) The following conditions apply to prescribed burning:
  - a. No placement or burning of burn piles (as defined in Attachment A) within Waterbody Buffer Zones (as defined in Attachment B), Stream Environment Zones in the Lake Tahoe hydrologic unit, or 100-year floodplains in the Little Truckee, Truckee River or Lake Tahoe hydrologic units, unless authorized by the Executive Officer. Authorization by the Executive Officer will be considered following Water Board staff review of burn plan(s) or supplemental information submitted with the Timber Waiver Application that includes site specific information such as, but not limited to:
    - i. Soil type(s)
    - ii. Vegetative cover
    - iii. Minimum distances from waterbodies
    - iv. Topography
    - v. Percent of area to be burned within the Waterbody Buffer Zone
    - vi. Explanation why burning piles within the Waterbody Buffer Zone is proposed.
    - vii. Mitigation measures or project design features to be implemented to ensure no significant adverse environmental effects will occur.
  - b. Prescribed broadcast burning (as defined in Attachment A) is allowed as long as the prescription does not result in the loss of large woody debris (as defined in Attachment A) which stabilizes soils adjacent to a waterbody.
  - c. Areas burned within Waterbody Buffer Zones must be left in a condition such that ash, soils, and/or debris will not discharge to a waterbody.

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<sup>4</sup> DBH (Diameter at Breast Height) means the diameter of the tree measured outside bark, at breast height, a point 4.5 feet (1.37 m) above ground level.

- d. If fuel breaks are constructed, effective waterbreaks must be constructed at the end of burning operations or prior to sunset if the National Weather Service forecast is a “chance” (30% or more) of rain within the next 24 hours.
- (19) Pursuant to Water Code section 13267, notify the Water Board, in writing, at least 30 days prior to the proposed application of herbicides (except for dry application of borax and/or sporax directly to tree stumps). The written notice must include the following:
- a. Type of herbicide
  - b. Method and area of application
  - c. Projected date of application
  - d. Measures that will be employed to assure compliance with the Basin Plan
- Subsequent changes to the proposal must be submitted in writing at least 14 days before the application, unless Water Board staff agrees in writing to a shorter notice period.
- (20) Pursuant to Water Code section 13267, upon completion of timber harvest or vegetation management activities dischargers must request termination of coverage under the Timber Waiver in accordance with Attachment M, Notice of Project Completion Form.

The project and the discharger remain subject to all applicable Timber Waiver criteria and conditions (including required monitoring and reporting) until a Notice is received from Water Board staff terminating coverage under the Timber Waiver. Prior to approving (or declining) termination, Water Board staff may inspect the project area.

- (21) Timber harvest and vegetation management activities conducted under this Timber Waiver category must continue to meet the category-specific eligibility criteria listed above.
- (22) **Condition for activities within the Little Truckee, Truckee River or Lake Tahoe hydrologic units only:** If timber harvest and vegetation management activities are planned within 100-year floodplains of the Little Truckee or Truckee River hydrologic units, or 100-year floodplains or Stream Environment Zones of the Lake Tahoe hydrologic, waste discharge prohibitions may apply. Review Attachment N to verify if any proposed activities would need a Basin Plan prohibition exemption prior to proceeding.

**E. CERTIFICATION**

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on March 11-12, 2009.

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HAROLD J. SINGER  
EXECUTIVE OFFICER

Attachments:

- A: Definitions and List of Acronyms
- B: Waterbody Buffer Zones
- C: Category 4 Application Form
- D: Category 4 Implementation Monitoring Form
- E: Category 4 and 6 Daily Winter Period Monitoring Program
- F: Category 5 Application Form and Monitoring and Reporting Program
- G: Fall Implementation Monitoring Form (Category 5 & 6)
- H: Winter Implementation Monitoring Form (Category 5 & 6)
- I: Forensic Monitoring Form (Category 5 & 6)
- J: Effectiveness Monitoring Form (Category 5 & 6)
- K: Category 6 Application Form and Monitoring and Reporting Program
- L: Photo-Point Monitoring Form
- M: Notice of Project Completion Form
- N: Waste Discharge Prohibition and Exemption Information for the Little Truckee, Truckee River and Lake Tahoe Hydrologic Units
- O: USFS Monitoring and Reporting Program

Attachment A  
California Regional Water Quality Control Board  
Lahontan Region

## Definitions and List of Acronyms

### Conditional Waiver of Waste Discharge Requirements for Timber Harvest and Vegetation Management Activities

<b>100-YEAR FLOODPLAIN</b> (A term only used within the Truckee and Lake Tahoe Hydrologic Units)	<p>for the purposes of this Timber Waiver this term is specific to the Truckee and Lake Tahoe Hydrologic Units. These areas must be determined based on delineations completed or approved by the U.S. Army Corps of Engineers, the Federal Emergency Management Agency, or if these agencies have not completed formal delineations of the area the Discharger, in consultation with Water Board staff shall use best professional judgment. These areas include land adjacent to waterbodies that extend to the outer perimeter of lands which experience flooding or are inundated with water during 100-year flood events.</p> <p>Within the Lake Tahoe Hydrologic Unit 100-year floodplains are sometimes, but not always, included within Stream Environment Zones (SEZs), as defined below. A floodplain only qualifies as SEZ if other secondary indicators of a SEZ are present. If a 100-year floodplain is considered a SEZ, the SEZ prohibitions and exemption criteria apply. (Basin Plan page 5.7 – 6).</p>
<b>BROADCAST BURNING</b>	<p>means the implementation of a written prescription to burn a designated area within well-defined boundaries. It does not include burning of organic matter which is piled during mechanical site preparation or the ignition of 'burn piles' as defined below.</p>
<b>BURN PILE</b>	<p>means hand and machine constructed piles of organic materials (e.g., slash, branches, limbs, stumps, biomass) intended for burning.</p>
<b>CRITICAL DIP</b>	<p>means a low point, or overflow structure, in the road near or at a watercourse crossing designed to prevent the diversion of high flows in the event that the crossing or culvert becomes plugged or flow capacity is exceeded. To be properly installed, critical dips should be on the downhill side of a crossing.</p>
<b>DISCHARGER(S)</b>	<p>means the landowner(s), duly authorized representative of the landowner, and anyone working on behalf of the landowner in the conduct of timber harvest and vegetation management; includes any city, county, district, the state, and the United States, to the extent authorized by federal law (Water Code section 13050, subdivision c).</p>



<b>DRY SOILS</b>	means soils are dry, loose, and will not form a ball with pressure (i.e., squeezed into a ball by hand).
<b>EFFECTIVENESS MONITORING</b>	means visual monitoring to evaluate the effectiveness of management practices designed to prevent sediment delivery and protect water quality (e.g., erosion control measures, riparian buffers, waterbreaks, critical dips) in preventing sediment discharge to waterbodies and protecting water quality.
<b>EQUIPMENT LIMITATION ZONE</b>	means the area adjacent to Class III and Class IV waterbodies, where equipment operations associated with timber harvest and vegetation management activities is limited for the protection of water quality, the beneficial uses of water, and/or other forest resources, as explained by the discharger in the Category 5 Application Form or Category 6 Application Form.
<b>EXISTING STRUCTURE</b>	means an approved and legally permitted existing structure (such as residential or commercial building) that complies with the California Building Code (or which pre-dates the building code). Does not include existing roads, power lines, or trails.
<b>FEDERAL FORESTRY PROFESSIONAL</b>	means a person employed by the federal government meeting the requirements of the Federal Forestry Series (GS-460) of the U.S. Office of Personnel Management.
<b>FORENSIC MONITORING</b>	means visual monitoring of surface waters (e.g., lakes and streams) and Waterbody Buffer Zones to identify evidence of sediment delivery and/or locate sources of sediment delivery (or potential delivery) to a waterbody in a timely manner so that corrective actions may be taken.
<b>FUEL BREAK</b>	A strip of hand or machine modified land surface designed to stop the progress of a prescribed fire or wildfire.
<b>GROUND-BASED EQUIPMENT OPERATIONS</b>	includes tractor, vehicle, equipment, and heavy equipment operations. Does not include work conducted by hand crews, helicopter, or cable yarding.
<b>HAND CREW OPERATIONS</b>	means cutting vegetation with a chainsaw or hand saw and manually piling material onsite or removing material with the use of motorized equipment limited to existing roads (except chippers and/or brush mowers). Includes prescribed burning and the construction of fuel breaks.
<b>HARD-FROZEN SOIL CONDITIONS</b>	means frozen soil conditions where operated vehicles, tractors, and equipment can travel without sinking into soil, road, or landing surfaces to a depth of more than two inches for a distance of more than 25 feet. Temperatures must also remain low enough to preclude thawing of the soil surface.

<b>HERBICIDES</b>	for the purposes of this Timber Waiver, herbicides are defined to include pesticides, insecticides, fungicides, and all other economic poisons. An economic poison is any substance intended to prevent, repel, destroy, or mitigate the damage from insects, rodents, predatory animals, bacteria, fungi, or weeds capable of infesting or harming vegetation, humans, or animals (CA Agriculture Code section 12753, & Basin Plan pages 3 – 5).
<b>IMPLEMENTATION MONITORING</b>	means visual monitoring of project areas (including roads, stream crossings, landings) to ensure all management practices designed to prevent sediment delivery and protect water quality (e.g., erosion control measures, riparian buffers, waterbreaks, critical dips) are in place and secure prior to the winter period, and at the conclusion of winter operations if winter operations occur.
<b>LANDING</b>	means that area where forest products are concentrated prior to additional processing or removal from site.
<b>LARGE WOODY DEBRIS</b>	means down logs over 12 inches in diameter and more than 10 feet in length.
<b>PRESCRIBED BURNING</b>	means the implementation of a written prescription to burn a designated area within well-defined boundaries. May include broadcast burning or pile burning.
<b>PROJECT</b>	means any “timber harvest and/or vegetation management activity” (as defined below).
<b>SATURATED SOIL CONDITIONS</b>	<p>means that site conditions are sufficiently wet that timber operations displace soils in yarding or mechanical site preparation areas or displace road and landing surface materials in amounts sufficient to cause a turbidity increase in drainage facilities that discharge into Class I, II, III, or IV waters, or in downstream Class I, II, III, or IV waters that is visible or would violate applicable water quality requirements.</p> <p>In yarding and site preparation areas, this condition may be evidenced by: (a) reduced traction by equipment as indicated by spinning or churning of wheels or tracks in excess of normal performance, (b) inadequate traction without blading wet soil, (c) soil displacement in amounts that cause visible increase in turbidity of the downstream waters in a receiving Class I, II, III, or IV waters, or in amounts sufficient to cause a turbidity increase in drainage facilities that discharge into Class I, II, III, or IV waters, or (d) creation of ruts greater than would be normal following a light rainfall.</p>

	<p>On logging roads and landing surfaces, this condition may be evidenced by (a) reduced traction by equipment as indicated by spinning or churning of wheels or tracks in excess of normal performance, (b) inadequate traction without blading wet soil, (c) soil displacement in amounts that cause visible increase in turbidity of the downstream waters in receiving Class I, II, III, or IV waters, or in amounts sufficient to cause a turbidity increase in drainage facilities that discharge into Class I, II, III, or IV waters, (d) pumping of road surface materials by traffic, or (e) creation of ruts greater than would be created by traffic following normal road watering, which transports surface material to a drainage facility that discharges directly into a watercourse.</p> <p>Soils or road and landing surfaces that are hard frozen are excluded from this definition. (California Code of Regulations, title 14, section 895.1.).</p>
<b>SITE PREPARATION</b>	means any activity involving mechanical disturbance of soils or burning of vegetation which is performed during or after completion of timber harvesting and is associated with preparation of any portion of a logging area for artificial or natural regeneration. (California Code of Regulations, title 14, section 895.1.)
<b>SKID TRAIL</b>	means constructed trails or established paths used by tractors or other vehicles for skidding logs. Also known as tractor roads. (California Code of Regulations, title 14, section 895.1.)
<b>STREAM ENVIRONMENT ZONE (SEZ)</b> (A term only used within the Lake Tahoe Hydrologic Unit)	<p>means biological communities that owe their characteristics to the presence of surface waters or a seasonal high groundwater table. The criteria used for field identification and delineation of SEZs are unique to the Lake Tahoe Hydrologic Unit and are described below.</p> <p>The following criteria are used by both the Water Board and the Tahoe Regional Planning Agency (TRPA). A Stream Environment Zone is determined to be present if any one of the following key indicators is present, or in the absence of a key indicator, if any three of the following secondary indicators are present. Soil types are discussed in Volume I of the TRPA's Water Quality Management Plan for the Lake Tahoe Region. Plant communities are identified in accordance with the definitions and procedures contained in the report entitled <i>Vegetation of the Lake Tahoe Region, A Guide for Planning</i> (TRPA 1971).</p>

	<p><b>1. Key Indicators:</b></p> <ul style="list-style-type: none"> <li>(a) Evidence of surface water flow, including perennial, ephemeral, and intermittent streams, but not including rills or man-made channels; or</li> <li>(b) Primary riparian vegetation; or</li> <li>(c) Near surface groundwater; or</li> <li>(d) Lakes or ponds; or</li> <li>(e) Beach (Be) soils; or</li> <li>(f) One of the following alluvial soils: <ul style="list-style-type: none"> <li>(i) Elmira loamy coarse sand, wet variant (Ev)</li> <li>(ii) Marsh (Mh).</li> </ul> </li> </ul> <p><b>2. Secondary Indicators:</b></p> <ul style="list-style-type: none"> <li>(a) Designated floodplain</li> <li>(b) Groundwater between 20-40 inches</li> <li>(c) Secondary riparian vegetation</li> <li>(d) One of the following alluvial soils: <ul style="list-style-type: none"> <li>(i) Loamy alluvial land (Lo), or</li> <li>(ii) Celio gravelly loamy coarse sand (Co), or</li> <li>(iii) Gravelly alluvial land (Gr).</li> </ul> </li> </ul> <p>TRPA's official land capability maps shall be used to identify SEZs initially, but are subject to field verification in every instance.</p> <p>The boundary of a SEZ is the outermost limit of the key indicators; the outermost limit where three secondary indicators coincide; or if Lo, Co or Gr soils are present, the outermost limit where two secondary indicators coincide, whichever establishes the widest SEZ at any point. The outermost boundaries of a stream are the bank-full width of such stream which is defined as the level of frequent high flow, i.e., the level of flood with a recurrence interval of approximately 1.5 years. Other definitions of terms used in the criteria above are given in Table 5.7-1 of the Water Board's Basin Plan, and pages 10 – 12 of the TRPA's Water Quality Management Plan for the Lake Tahoe Region .</p> <p>Note that SEZs can include bodies of open water as well as wet meadows without defined stream channels. SEZs are generally identical with Bailey land capability Class 1b lands.</p> <p>This definition is subject to change if the TRPA amends the definition or criteria for SEZs and such changes or amendments are approved by the California State Water Resources Control Board.</p> <p>(Basin Plan pages 5.7 – 1 through 5.7 – 2)</p>
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<b>TARGET SPECIES</b>	means vegetation and/or tree species that are deliberately selected for removal, reduction, or management to accomplish the project's intended purpose, as specified in the project application, Plan or other submittal.
<b>TIMBER HARVEST AND VEGETATION MANAGEMENT ACTIVITIES</b>	means all activities related to the management of vegetation for the purposes of fuel reduction; forest thinning; and/or environmental improvement (such as forest enhancement, riparian enhancement, and aspen stand enhancement); prescribed burning; cutting or removal of trees and vegetation, together with all the work incidental thereto, including, but not limited to, construction, reconstruction, maintenance, and decommissioning of roads, fuel breaks, stream crossings, landings, skid trails, or beds for the falling of trees; burned area rehabilitation, hazard tree removal; site preparation that involves disturbance of soil, burning of vegetation, or herbicide/pesticide application. Vegetation management activities do not include aquatic vegetation management, preparatory tree marking, surveying, or road flagging.
<b>UNDEVELOPED LOT</b>	means parcels without buildings or structures, up to three acres in size, that are interspersed in areas of <u>existing</u> urban land uses (e.g., residential, commercial or industrial uses). Undeveloped lots include such parcels owned by public agencies within a recognized urban or community boundary.
<b>UNSTABLE AREAS</b>	are characterized by slide areas or unstable soils or by some or all of the following: hummocky topography consisting of rolling bumpy ground, frequent benches, and depressions; short irregular surface drainages begin and end on the slope; tension cracks and head wall scarps indicating slumping are visible; slopes are irregular and may be slightly concave in upper half and convex in lower half as a result of previous slope failure; there may be evidence of impaired ground water movement resulting in local zones of saturation within the soil mass which is indicated at the surface by sag ponds with standing water, springs, or patches of wet ground. Some or all of the following may be present: hydrophytic (wet site) vegetation prevalent; leaning, jackstrawed or split trees are common; pistol-butted trees with excessive sweep may occur in areas of hummocky topography (note: leaning and pistol butted trees should be used as indicators of slope failure only in the presence of other indicators). (California Code of Regulations, title 14, section 895.1.)
<b>WATERBODY</b>	means "waters of the state" as defined in Water Code section

	13050 and includes any surface water and ground water, including, but not limited to, any natural or manmade waterbody, including lakes, ponds, springs, and watercourses. Class I, Class II, Class III, Class IV, and Unclassified Waterbodies are defined in Attachment B.
<b>WATERBODY BUFFER ZONE</b>	means a strip of land, along all sides of a waterbody, where additional avoidance measures and management practices are required for protection of the quality and beneficial uses of water, fish and riparian wildlife habitat, other forest resources, and for controlling erosion. Please refer to Attachment B for further explanation.
<b>WATERBREAK</b>	Means a ditch, dike, or dip, or a combination thereof, constructed diagonally across logging roads, skid trails, and fuel breaks so that runoff flow is interrupted and effectively diverted to discharge to non-erodible or vegetated areas that will not result in delivery of sediment to a waterbody. Also known as waterbars.
<b>WATERCOURSE</b>	means any well-defined channel with distinguishable bed and bank showing evidence of having contained flowing water indicated by deposit of rock, sand, gravel, or soil. Watercourse also includes manmade watercourses (California Code of Regulations, title 14, section 895.1.).
<b>WINTER PERIOD</b>	for the purposes of this Timber Waiver, the winter period begins on October 16 and ends on April 30 of the next year.

All other terms shall have the same definitions as prescribed by the California Forest Practice Rules (California Code of Regulations, title 14, section 895.1 et seq.), Public Resources Code section 4528, subdivision (f), and the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.), unless specified otherwise.

## LIST OF ACRONYMS

BMPEP.....	Best Management Practices Evaluation Program (U.S. Forest Service)
CAL FIRE .....	California Department of Forestry and Fire Protection
CEQA .....	California Environmental Quality Act
CWPP .....	Community Wildfire Protection Plan
ELZ.....	Equipment Limitation Zone
NPDES .....	National Pollutant Discharge Elimination System
NTHP .....	Nonindustrial Timber Management Plan
PRC .....	Public Resources Code
RPF .....	Registered Professional Forester
SEZ .....	Stream Environment Zone (Lake Tahoe Hydrologic Unit Only)
SMZ .....	Streamside Management Zone
THP.....	Timber Harvest Plan
TRPA .....	Tahoe Regional Planning Agency

Attachment B  
California Regional Water Quality Control Board  
Lahontan Region

Determining Width of  
**Waterbody Buffer Zones**

**Conditional Waiver of Waste Discharge Requirements  
for Timber Harvest and Vegetation Management Activities**

Introduction

The Timber Waiver contains conditions with specific equipment operation limitations and protections near waterbodies. Areas subject to these limitations and protections are called "Waterbody Buffer Zones." The definitions of waterbody classifications and widths of Waterbody Buffer Zones are taken from Title 14 California Code of Regulations (2008 Forest Practice Rules) Watercourse and Lake Protection Zones (WLPZs). Waterbody Buffer Zones are also consistent with the U.S. Forest Service concept of a "Streamside Management Zone" (SMZ), which is a zone adjacent to waterbodies designated for special management controls aimed at protection and improvement of water quality. Unlike WLPZs, universal widths for SMZs are not specified, but developed on a project-specific basis taking into account factors such as stream class, channel aspect and stability, sideslope steepness, and slope stability. For clarity and conciseness, this Waiver uses the generic term Waterbody Buffer Zone (instead of WLPZ or SMZ) to recognize that not all timber harvest and vegetation management activities regulated by this Timber Waiver are subject to the Forest Practice rules, or conducted by the U.S. Forest Service on U.S. Forest Service Lands.

Water Board staff will accept documents and timber waiver applications that use terminology other than "Waterbody Buffer Zones" as long as such zones or areas will not be smaller than the Water Body Buffer Zones defined below. Such terminology may include Streamside Management Zone (SMZ), Riparian Conservation Area (RCA), and Watercourse and Lake Protection Zone (WLPZ).

Buffer Zone Designations for Class I and II Waters

Buffer Zone widths for Class I and II waters are equivalent to those in the 2008 California Forest Practice Rules, section 916.5, Table 1, "Procedures for Determining Watercourse and Lake Protection Zone Widths and Protective Measures [All Districts]."

Buffer Zone Designations for Class III and IV Waters

The 2008 California Forest Practices Rules contains guidance for WLPZ widths for Class III and IV waters at section 916.4(c)(1). This waiver uses those widths specified in section 916.4(c)(1) for all Class III and IV waters subject to the waiver.

Measuring Buffer Zone Widths

Waterbody Buffer Zones must be measured along the surface of the ground from the watercourse or lake transition line (as defined in the 2008 Forest Practice Rules) or in the absence of riparian vegetation from the top edge of the watercourse bank (2008 Forest Practice Rules, section 916.4(b)(3)). The slope of the land adjacent to the water body must be measured from the watercourse or lake transition line to a point 100 feet upslope, or, in the absence of riparian vegetation, from the top of the waterbody bank. Where slope steepness varies along a slope, a weighted average method shall be used to determine the sideslope percent (2008 Forest Practice Rules, section 916.5(a)(3)).



**Table B1. Waterbody Buffer Zone Widths.**

<b><u>TYPE OF WATERBODY:</u></b>	<b><u>DEFINITION:</u></b>								
<b>Class I</b>	<p>(1) Domestic supplies, including springs, on site and/or within 100 feet downstream of the operations area, and/or</p> <p>(2) Fish always or seasonally present onsite, includes habitat to sustain fish migration and spawning.</p> <p>Reference: 2008 California Forest Practice Rules, 916.5, table 1</p>								
<table border="1"> <thead> <tr> <th><b>Slope of land adjacent to watercourse or lake:</b></th><th><b>Buffer Zone width:</b></th></tr> </thead> <tbody> <tr> <td>&lt; 30%</td><td>75 feet</td></tr> <tr> <td>30 – 50 %</td><td>100 feet</td></tr> <tr> <td>&gt; 50 %</td><td>150 feet<sup>1</sup></td></tr> </tbody> </table> <p><sup>1</sup> Subtract 50 feet width for cable yarding operations</p> <p>Reference: 2008 California Forest Practice Rules, 916.5, table 1</p>		<b>Slope of land adjacent to watercourse or lake:</b>	<b>Buffer Zone width:</b>	< 30%	75 feet	30 – 50 %	100 feet	> 50 %	150 feet <sup>1</sup>
<b>Slope of land adjacent to watercourse or lake:</b>	<b>Buffer Zone width:</b>								
< 30%	75 feet								
30 – 50 %	100 feet								
> 50 %	150 feet <sup>1</sup>								
<b>Class II</b>	<p>(1) Fish always or seasonally present offsite within 1000 feet downstream, and/or</p> <p>(2) Aquatic habitat for nonfish aquatic species.</p> <p>(3) Excludes Class III waters that are tributary to Class I waters.</p> <p>Reference: 2008 California Forest Practice Rules, 916.5, table 1</p>								
<table border="1"> <thead> <tr> <th><b>Slope of land adjacent to watercourse or lake:</b></th><th><b>Buffer Zone width:</b></th></tr> </thead> <tbody> <tr> <td>&lt; 30%</td><td>50 feet</td></tr> <tr> <td>30 – 50 %</td><td>75 feet</td></tr> <tr> <td>&gt; 50 %</td><td>100 feet<sup>2</sup></td></tr> </tbody> </table> <p><sup>2</sup> Subtract 25 feet width for cable yarding operations</p> <p>Reference: 2008 California Forest Practice Rules, 916.5, table 1</p>		<b>Slope of land adjacent to watercourse or lake:</b>	<b>Buffer Zone width:</b>	< 30%	50 feet	30 – 50 %	75 feet	> 50 %	100 feet <sup>2</sup>
<b>Slope of land adjacent to watercourse or lake:</b>	<b>Buffer Zone width:</b>								
< 30%	50 feet								
30 – 50 %	75 feet								
> 50 %	100 feet <sup>2</sup>								

<b><u>TYPE OF WATERBODY:</u></b>	<b><u>DEFINITION:</u></b>
----------------------------------	---------------------------

<b>Class III</b>	<p>No aquatic life present, waterbody showing evidence of being capable of sediment transport to Class I and II waters under normal high water flow conditions. Reference: 2008 California Forest Practice Rules, 916.5, table 1</p> <table border="1"> <thead> <tr> <th><b>Slope of land adjacent to watercourse or lake:</b></th><th><b>Buffer Zone width:</b></th></tr> </thead> <tbody> <tr> <td>&lt; 30 %</td><td>25 feet</td></tr> <tr> <td>≥ 30 %</td><td>50 feet</td></tr> </tbody> </table> <p>Reference: 2008 California Forest Practice Rules, 916.4(C)(1).</p>	<b>Slope of land adjacent to watercourse or lake:</b>	<b>Buffer Zone width:</b>	< 30 %	25 feet	≥ 30 %	50 feet
<b>Slope of land adjacent to watercourse or lake:</b>	<b>Buffer Zone width:</b>						
< 30 %	25 feet						
≥ 30 %	50 feet						

<b>Class IV</b>	<p>Man-made waterbodies, usually downstream, established domestic, agricultural, hydroelectric supply, or other beneficial use. Reference: 2008 California Forest Practice Rules, 916.5, table 1</p> <table border="1"> <thead> <tr> <th><b>Slope of land adjacent to watercourse or lake:</b></th><th><b>Buffer Zone width:</b></th></tr> </thead> <tbody> <tr> <td>&lt; 30 %</td><td>25 feet</td></tr> <tr> <td>≥ 30 %</td><td>50 feet</td></tr> </tbody> </table> <p>Reference: 2008 California Forest Practice Rules, 916.4(C)(1).</p>	<b>Slope of land adjacent to watercourse or lake:</b>	<b>Buffer Zone width:</b>	< 30 %	25 feet	≥ 30 %	50 feet
<b>Slope of land adjacent to watercourse or lake:</b>	<b>Buffer Zone width:</b>						
< 30 %	25 feet						
≥ 30 %	50 feet						

<b>Unclassified</b>	<p>Has channel with evidence of having concentrated flowing water indicated by deposit of rock, sand, gravel, or soil. No aquatic life is present, shows no evidence of being capable of sediment transport to a higher order waterbody (Class I, II, or III). These features may have riparian plant communities present.</p> <p>No standard buffer zone width is designated. However timber harvest and vegetation management activities must be excluded from within the channel zone, except for use and maintenance of existing roads and crossings.</p>
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Attachment C  
California Regional Water Quality Control Board  
Lahontan Region

## Category 4 Application Form

for

**Timber Harvest and Vegetation Management Activities which Rely on Existing Roads,  
Meet 11 Criteria, and May Include Winter Period Operations**

**Conditional Waiver of Waste Discharge Requirements  
for Timber Harvest and Vegetation Management Activities**

*Please type or print clearly in ink*

**1. Project Name:** (Enter name given to project, if any)

**Plan Number:** (If regulated by CAL FIRE, enter the number of the plan or exemption/emergency notice assigned to the project if available. If a CAL FIRE number is not available, but the project will proceed under an exemption or emergency, please state "CAL FIRE Exemption" or "CAL FIRE Emergency" in this box.)

**County:**

**2. Landowner's Contact Information:** (If there is more than one landowner, list their contact information in an addendum to this form.)

Name of individual, company, or agency:		
Company or agency contact:		
Address:		
City:	State:	Zip Code:
Phone:	E-mail address (optional):	

**3. Name and Phone Number of Contact Person(s):** (List the primary person(s) supervising/implementing on-site operations.)

Name:	Phone:
Name:	Phone:

**4. Summary of Project Information:**

Total Project Size (in acres):	Silvicultural prescription(s) or project purpose:
--------------------------------	---

Indicate type of yarding system(s) and equipment proposed for use (if any):

<u>Ground Based:</u>	<u>Cable:</u>	<u>Special:</u>
<input type="checkbox"/> Tractor, including end/long lining	<input type="checkbox"/> Cable, ground lead	<input type="checkbox"/> Hand crew
<input type="checkbox"/> Rubber tired skidder, Forwarder	<input type="checkbox"/> Cable, high lead	<input type="checkbox"/> Masticator
<input type="checkbox"/> Feller buncher	<input type="checkbox"/> Cable, skyline	<input type="checkbox"/> Chipper
		<input type="checkbox"/> Other: _____
		_____
		_____

**5. Waterbody Classification:** What types of waterbodies exist within the project area? (Information on waterbody classification is provided in Attachment B.) Check all that apply:

<input type="checkbox"/> Class I	<input type="checkbox"/> Class II	<input type="checkbox"/> Class III
<input type="checkbox"/> Class IV	<input type="checkbox"/> Unclassified	<input type="checkbox"/> None within project area

**6. Specific Project Information:**

<b>Yes*</b>	<b>No</b>	Are there signs of erosion or slope instability (e.g., rills, gullies, or tension cracking on road and/or landings surfaces; gullies emanating from roadsides, culvert crossings, or drainage features)?
<b>*If you answered yes to the above question, answer the following:</b>		
	Yes    No	Could or does this instability or erosion result in sediment delivery to a waterbody? If there is evidence of delivery you must include an addendum to this form that includes a description of mitigation measures that will be implemented to stop the delivery of sediment to waterbodies, or drainage structures that drain to waterbodies.
Yes	No	Does the project include the repair or reconstruction of watercourse crossings? If yes, briefly explain what work is planned and where:
Yes	No	Does the project include the repair or reconstruction of roads? If yes, briefly explain what work is planned and where:
Yes	No	Do the proposed timber harvest and vegetation management activities include landing construction or reconstruction? (To remain in compliance with Category 4 of the Timber Waiver, ensure no landing construction is proposed for areas with slopes greater than 20%.)
Yes	No	Do the proposed timber harvest and vegetation management activities include skid trail construction?
Yes	No	Are equipment operations between October 16 and April 30 of any year anticipated for this project?
Yes	No	Do the proposed timber harvest and vegetation management activities include prescribed burning?

**7. Timber Harvest and Vegetation Management Activities within Waterbody Buffer Zones:**

Describe what activities (e.g., timber removal, operation of equipment, chipping, prescribed burning) are proposed within Waterbody Buffer Zones:

(attach additional pages if necessary)

**8. Timber Harvest and Vegetation Management Activities on slopes greater than 20%:**

Describe what activities (e.g., equipment operations, skid trail construction) are proposed on slopes greater than 20% within the project area:

(attach additional pages if necessary)

**9. Map of Project Area:** To complete your application, include a USGS 7.5 minute topographic (or equivalent or greater scale) map that clearly indicates the information listed below. Map(s) that have been created as part of a CEQA, or other planning document, may substitute for creating an individual map for this application.

- ☐ The project area boundary.
- ☐ The relative location of the project to a nearby city, town, or landmark.
- ☐ Location of private and public roads to be used within the project area. Include the location of private and public roads that will be used to access the project areas from a paved county, state, municipal, or federal road. Label the name or number of each road and indicate if such roads are under the ownership or control of the land owner or manager. (The appurtenant roads may be shown on a separate map which may be planimetric with a smaller scale.)
- ☐ Location of proposed timber harvest and vegetation management activities (including skid trails) within Waterbody Buffer Zones.
- ☐ Identify areas found to be suitable for possible landing construction.
- ☐ Location of all existing watercourse crossings (including skid trail watercourse crossings).
- ☐ Location of proposed temporary over-snow skid trail watercourse crossings (if known).
- ☐ Location, classification, and name (if applicable) of all waterbodies within the project area. (Information on waterbody classification is provided in Attachment B.) Complete the following if the project area does not include a waterbody:

Name of nearest downstream waterbody:

Classification:

Distance from project boundary:

Where is the downstream waterbody located relative to the project area?  
(e.g., southwest, etc.)

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that this application and all submittals to the Water Board accurately represent site conditions, that I will comply with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions of Category 4 of the Timber Waiver.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**DO NOT WRITE IN THIS BOX:** For Water Board Staff Use Only.

**NOTICE OF RECEIPT  
TIMBER WAIVER APPLICATION FORM:**

This notice is to inform you that the California Regional Water Quality Control Board, Lahontan Region (Water Board) has received your Application Form. The timber harvest and vegetation management activities described in your application may begin. If you have any questions, propose any material change to the activities described in your application, or to report a spill or violation, please contact the Water Board staff assigned to your project as indicated below.

Date Form Received:  Timber Waiver coverage expires: March 13, 2014

Water Board Staff Assigned to this Project (primary contact):

- |                          |                |                |  |
|--------------------------|----------------|----------------|--|
| <input type="checkbox"/> | George Cella   | (530) 542-5426 | <a href="mailto:GCella@waterboards.ca.gov">GCella@waterboards.ca.gov</a>     |
| <input type="checkbox"/> | Taylor Farnum  | (530) 542-5449 | <a href="mailto:TFarnum@waterboards.ca.gov">TFarnum@waterboards.ca.gov</a>   |
| <input type="checkbox"/> | Anne Holden    | (530) 542-5450 | <a href="mailto:AHolden@waterboards.ca.gov">AHolden@waterboards.ca.gov</a>   |
| <input type="checkbox"/> | Andrea Stanley | (530) 542-5406 | <a href="mailto:AStanley@waterboards.ca.gov">AStanley@waterboards.ca.gov</a> |
| <input type="checkbox"/> | Doug Cushman   | (530) 542-5417 | <a href="mailto:DCushman@waterboards.ca.gov">DCushman@waterboards.ca.gov</a> |
| <input type="checkbox"/> | _____          |                |  |

WDID No. \_\_\_\_\_

☐ Entered into CIWQS

Attachment D  
California Regional Water Quality Control Board  
Lahontan Region

## Category 4 Implementation Monitoring Form

**This form and associated monitoring must be completed  
before November 15 of each year and submitted to the Water Board by January 15 as long as  
the project is covered under the Timber Waiver  
and  
at the conclusion of operations and submitted to the Water Board with the required Notice of  
Completion Form (Attachment M)**  
*Please type or print clearly in ink*

**Implementation monitoring** consists of visual monitoring of project areas, roads, stream crossings, landings, etc., to ensure all management practices designed to prevent sediment delivery and protect water quality (e.g., erosion control measures, riparian buffers, waterbreaks, critical dips) are in place and secure. Pursuant to Water Code section 13267, this form, or an alternate form or report containing equivalent information, must be submitted by **January 15**.

1. **Project Name:**

2. **CAL FIRE Issued Plan Number:** (If regulated by CAL FIRE, enter the number of the plan or exemption/emergency notice assigned to the project)

3. This monitoring is being completed because:

☐ Timber harvest and vegetation management activities have been completed and this monitoring is being conducted to satisfy the monitoring required for termination of Timber Waiver Coverage. Operations were completed on: \_\_\_\_\_

☐ Project activities have commenced prior to November 15<sup>th</sup> of this year and monitoring is required to ensure necessary management measures have been implemented prior to the onset of winter weather.

4. **Inspector's name and title:**

**Date of inspection:**

5. **All landings within the project area:** Inspected:  None within plan area:

Yes    No    **Are all landings adequately stabilized to prevent sediment delivery to a surface water?** (e.g., are all waterbreaks properly installed)

Additional notes:

**6. All skid trails:**

Inspected:

☐

None within plan area:

☐

Yes

No

**Are all skid trails adequately stabilized to prevent sediment delivery to a surface water?** (e.g., are all waterbreaks properly installed)

Additional notes:

**7. All roads:**

Inspected:

☐

None within plan area:

☐

Yes

No

**Are all roads segments** (including those used for timber operations within the plan area, and roads appurtenant to operations where such roads are under the ownership or control of the landowner or manager) **adequately stabilized to prevent sediment delivery to a surface water?**

Additional notes:

**8. All Watercourse Crossings:**

Inspected:

☐

None within plan area:

☐

Yes

No

**Have all watercourse crossings and associated fills and approaches been stabilized to prevent diversion of stream overflow down the road and to minimize fill erosion and delivery to a waterbody if the drainage structure became plugged?**

Yes

No

**Are all necessary critical dips properly installed?** (A properly installed critical dip, or other overflow structure, should be on the downhill side of all crossings.)

Yes

No

**Is there any risk of stream diversion during a high runoff event?**

Yes

No

**Is road runoff disconnected before it reaches the watercourse crossing?** (For example, are waterbreaks (i.e., rolling dips or waterbars) placed on the approaches to the crossing so that runoff and sediment is filtered prior to potential discharge to a waterbody? It may be impossible to disconnect all of the road drainage from the watercourse. However, the length of road draining to the stream should be kept to a minimum.)

Yes

No

**Are all fill slopes adequately armored or stabilized?**

Yes

No

**Are all watercourse crossings** (including culverts) **clear of debris?**

Yes

No

**N/A Have all over-snow skid trail watercourse crossings been removed such that the natural flow of water within the watercourse channel will not be obstructed or diverted?** (All temporary fills should be excavated to form a channel that is as close as feasible to the natural watercourse grade and width without disturbing watercourse bed or banks)

Additional notes on watercourse crossings within the plan area:

(attach additional pages if necessary)



9. Yes No **Does chipped material exceed an average depth of two inches, with a maximum depth of four inches, within Waterbody Buffer Zones?**

10. Yes No **Have constructed fuel breaks been adequately stabilized** (i.e., have effective waterbreaks been constructed)?

11. Yes No **Did you observe any signs of sediment delivery or potential sediment delivery** (e.g., failed stream banks, rills, gullies, unstabilized spoils, tension cracks) **within the project area?**

If yes, please describe the sediment sources (and their location) and what corrective measures have been taken, or are planned, to prevent impacts to water quality and to maintain compliance with the Timber Waiver:

(attach additional pages if necessary)

12. Any other additional notes regarding implementation monitoring, or the project in general:

(attach additional pages if necessary)

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that all information contained in this monitoring report is true, accurately represents site conditions, and is complete. I also certify that all timber harvest and vegetation management activities conducted have been in conformance with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions for Category 4 of the Timber Waiver. If any deviation from the project submittals, and/or the Timber Waiver eligibility criteria and conditions has been identified I have disclosed such deviations in this form along with corrective actions that will be taken to resolve the problem.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Invitation for feedback:** Water Board staff respectfully request any constructive feedback regarding the monitoring program with regard to your project. Completing this section is not a requirement. Water Board staff may use your comments and suggestions to improve this program for future projects. Comments may include:

- perceived effectiveness of the program in protecting water quality
- recommendations on how to make the monitoring program more efficient, reliable, or effective
- impressions of recommendations made by Water Board staff regarding your project (e.g., Do they appear to be effective, is there a practice or a performance standard that would have been more cost-effective at protecting water quality?)

Attachment E  
California Regional Water Quality Control Board  
Lahontan Region

## **Category 4 and 6 Daily Winter Period Monitoring Program**

***Daily Monitoring only required during days of equipment operation  
between October 16 and April 30***

Pursuant to 13267 of the California Water Code, daily monitoring and annual reporting is required for all projects covered under Category 4 or 6 of the Timber Waiver for days where tractor, vehicle, or equipment operations occur between October 16 and April 30 of any year.

This monitoring program consists of daily completion of the following checklist, and has been developed to assure compliance with the Water Quality Control Plan for the Lahontan Region (Basin Plan) and to verify the adequacy and effectiveness of the Timber Waiver conditions and eligibility criteria pursuant to Water Code section 13269, subdivision (a)(2).

To request monitoring and reporting be waived or to request an alternate monitoring and reporting program, contact Water Board staff in the Non-Point Source Pollution Control Unit at (530) 542-5400.

The data accumulated during this monitoring must be retained by the discharger and submitted July 15 of every year. The discharger must also retain this monitoring data until a Notice of Termination of Timber Waiver Coverage is issued by Water Board staff. Upon request by Water Board staff, the discharger is required to submit this monitoring data to the Water Board prior to the July 15 submittal date.

## Category 4 and 6 Daily Winter Operations Monitoring Checklist

This checklist must be completed daily when equipment is operated between October 16 and April 30

Example

Day of operation:	10/17											
Field condition: dry soil <sup>1</sup> , hard- frozen <sup>2</sup> , or over snow <sup>3</sup> :	Dry											
Is any precipitation forecasted within the next 36 hours? (Y/N)	N											
Average depth of accumulated or machine compacted snow in area of operations:	N/A											
If operating over the snow or over hard-frozen soil conditions: Was soil disturbance observed today? <sup>4</sup>	N/A											
Inspector's Initials	JD											

<sup>1</sup> **Over dry soil conditions:** There has been no precipitation within the last two weeks and/or soils are dry (i.e., loose and will not form a ball when squeezed by hand) to a depth of one foot.

<sup>2</sup> **Over hard-frozen soil conditions:** soils and road surfaces in areas of equipment operations are solidly frozen to a depth sufficient to support the weight of operating equipment.

<sup>3</sup> **Over snow:** Snow depth is sufficient to allow the operation of equipment without resulting in visible disturbance of soils.

<sup>4</sup> If soil disturbance is observed: Detail when, where, and why these disturbances occurred and what corrective actions were taken to prevent impacts to water quality. **Retain this information within the monitoring file. If a discharge of sediment to a waterbody has occurred you must contact Water Board staff within 24 hours at (530)542-5400.**

Attachment F  
California Regional Water Quality Control Board  
Lahontan Region

## Category 5 Application Form and Monitoring and Reporting Program

for  
**CAL FIRE – Approved Plans**

### Conditional Waiver of Waste Discharge Requirements for Timber Harvest and Vegetation Management Activities

*Please type or print clearly in ink*

**1. Plan Name:**

**CAL FIRE Issued Plan Number:**

**2. Landowner's Contact Information:** (If there is more than one landowner, list their contact information in an addendum to this form.)

Name of individual, company, or agency:		
Company or agency contact:		
Address:		
City:	State:	Zip Code:
Phone:	E-mail address (optional):	

**3. Name and Phone Number of Contact Person(s):** (List the primary person(s) supervising/implementing on-site operations.)

Name:	Phone:
Name:	Phone:

**4. CAL FIRE:**

<b><u>Circle One</u></b>		
Yes	No	Has the CAL FIRE Director approved the THP? <i>Do not submit this form until the Plan has been recommended for approval by the CAL FIRE Director.</i>

**5. RPF Contact Information:**

Name:	RPF License Number:	
Address:		
City:	State:	Zip Code:
Phone:	E-mail address (optional):	

**6. Did Water Board staff participate in the CAL FIRE review team process?**

Yes	No
-----	----

## **Monitoring and Reporting Program**

Pursuant to Water Code section 13267, visual monitoring and semi-annual reporting are required for all projects that proceed under Category 5 of the Timber Waiver, **unless the Executive Officer imposes individual monitoring and reporting requirements, or if the Water Board or Executive Officer waives monitoring and reporting requirements for projects determined to not pose a significant threat to water quality** pursuant to Water Code section 13269, subdivision (a)(3).

This monitoring and reporting program has been developed to assure compliance with the requirements of the Water Quality Control Plan for the Lahontan Region (Basin Plan) and to verify the adequacy and effectiveness of the Timber Waiver conditions and eligibility criteria pursuant to Water Code section 13269, subdivision (a)(2). This completed form, or a report containing equivalent information, must be submitted in accordance with the requirements of this monitoring and reporting program.

Compliance with the following monitoring and reporting program is required until a Notice of Termination of Timber Waiver Coverage is issued by Water Board staff.

To request an alternate monitoring and reporting program contact Water Board staff in the Non-Point Source Pollution Control Unit at (530) 542-5400 to discuss required submittals.

### Determining the amount of Monitoring and Reporting Required:

The level and frequency of required visual monitoring varies depending on the project-specific site characteristics. If any of the following conditions exist within the plan, then implementation monitoring (described on page 3), forensic monitoring (described on page 4), and effectiveness monitoring (described on page 4) are required.

However, if none of these conditions exist within the plan, then **only** implementation monitoring (described on page 3) is required.

<b><u>Circle One</u></b>		
Yes	No	Does the project involve the construction or re-construction of watercourse crossings over Class I, II or Class IV (with domestic use) watercourses?
Yes	No	Does the project involve ground based equipment operations within a waterbody buffer zone(s) beyond an existing road prism?
Yes	No	Does the project include winter operations?
Yes	No	Does the project include road construction or re-construction within 150 feet of a Class I, II or IV (with domestic use) waterbody?
Yes	No	Does the project include landing construction or re-construction within waterbody buffer zone(s)?
Yes	No	Does the project include ground-based equipment operations in areas classified High or Extreme Erosion Hazard Rating?
Yes	No	Does the project include in-lieu practices that may increase the risks of adversely affecting water quality?

### Implementation Monitoring:

Implementation monitoring is visual monitoring of plan areas (including roads, stream crossings, skid trails, landings) to ensure all management practices designed to prevent sediment delivery and protect water quality (e.g., erosion control measures, riparian buffers, waterbreaks, critical dips) are in place and secure prior to the winter period, and at the conclusion of winter operations if winter operations occur.

### Fall Implementation Monitoring:

Fall implementation monitoring is required for all projects that proceed under Category 5. Review the attached Fall Implementation Monitoring Form (Attachment G) to familiarize yourself with what is required between October 15 and November 15 of each year. This monitoring must be reported to the Water Board by **January 15<sup>th</sup> of each year**.

### Winter Implementation Monitoring:

Winter implementation monitoring is required for all projects that proceed with winter operations in a given year. Review the attached Winter Implementation Monitoring Form (Attachment H) to familiarize yourself with what is required once winter operations conclude each year. This monitoring must be reported to the Water Board by **July 15<sup>th</sup> of each year**.

### Areas to Inspect during Implementation Monitoring:

All of the following sites must be inspected to complete implementation monitoring (if present):

- watercourse crossings
- landings
- water diversions and watering holes
- water drafting locations
- roads
- skid trails
- known or suspected landslides near roads, streams, or ground-based equipment operations.
- areas where temporary watercourse crossings have been removed

## Forensic and Effectiveness Monitoring:

### Forensic Monitoring:

Forensic monitoring is visual monitoring of surface waters and Waterbody Buffer Zones to identify evidence of sediment delivery and/or locate sources of sediment delivery (or potential delivery) in a timely manner so that corrective actions may be taken. Please review the Forensic Monitoring Form (Attachment I) to familiarize yourself with what is required. To complete required winter forensic monitoring, submit a complete and signed monitoring form (Attachment I) or report containing equivalent information to the Water Board by **July 15<sup>th</sup> of each year**.

### Effectiveness Monitoring:

Effectiveness monitoring is conducted at, or near, the end of the spring runoff, preferably between March 15 and June 15, to:

- Evaluate management practices within the plan area to determine their effectiveness in preventing sediment discharge to waterbodies and protecting water quality. Areas evaluated should be the same as those inspected during fall implementation monitoring.
- A visual evaluation of the plan area to identify any points of sediment delivery that developed during the winter period.

Please review the attached Effectiveness Monitoring Form (Attachment J) to familiarize yourself with what is required. To complete required spring effectiveness monitoring, submit a complete and signed monitoring form (Attachment I or report containing equivalent information) to the Water Board by **July 15<sup>th</sup> of each year**.

## Photo-Point Monitoring:

**Complete the following to determine if Photo-Point Monitoring is required for this plan:**

**Circle One**

<b>Yes*</b>	No	Does the plan include the construction or reconstruction of a span crossing over a watercourse?
<b>Yes*</b>	No	Does the plan include the construction or reconstruction of a watercourse crossing using a culvert that is 24 inches or greater in diameter?
<b>Yes*</b>	No	Has Water Board staff requested photo-point monitoring for particular areas of your plan (e.g., during the interdisciplinary review team process or site visit)?

\* If you answered yes to any of the above questions Photo-Point Monitoring is required as described in Attachment L.

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that this notification and all submittals to the Water Board accurately represent site conditions, that I will comply with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions of Category 5 of the Timber Waiver.

Signature:

Date:

**DO NOT WRITE IN THIS BOX:** For Water Board Staff Use Only.

**NOTICE OF RECEIPT  
TIMBER WAIVER APPLICATION FORM:**

This notice is to inform you that the California Regional Water Quality Control Board, Lahontan Region (Water Board) has received your Application Form. The timber harvest and vegetation management activities described in the CAL FIRE – approved plan and your application may begin. If you have any questions, propose any material change to the activities described in your application, or to report a spill or violation, please contact the Water Board staff assigned to your project as indicated below.

Date Form Received:

Expires: March 13, 2014

Water Board Staff Assigned to this Project (primary contact):

- |                          |                |                |  |
|--------------------------|----------------|----------------|--|
| <input type="checkbox"/> | George Cella   | (530) 542-5426 | <a href="mailto:GCella@waterboards.ca.gov">GCella@waterboards.ca.gov</a>     |
| <input type="checkbox"/> | Taylor Farnum  | (530) 542-5449 | <a href="mailto:TFarnum@waterboards.ca.gov">TFarnum@waterboards.ca.gov</a>   |
| <input type="checkbox"/> | Anne Holden    | (530) 542-5450 | <a href="mailto:AHolden@waterboards.ca.gov">AHolden@waterboards.ca.gov</a>   |
| <input type="checkbox"/> | Andrea Stanley | (530) 542-5406 | <a href="mailto:AStanley@waterboards.ca.gov">AStanley@waterboards.ca.gov</a> |
| <input type="checkbox"/> | Doug Cushman   | (530) 542-5417 | <a href="mailto:DCushman@waterboards.ca.gov">DCushman@waterboards.ca.gov</a> |
| <input type="checkbox"/> | _____          |                |  |

WDID No. \_\_\_\_\_

☐ Entered into CIWQS



Attachment G  
California Regional Water Quality Control Board  
Lahontan Region

## Fall Implementation Monitoring Form

### Categories 5 and 6

**This form and associated monitoring must be completed  
between October 15 and November 15  
and submitted to the Water Board by January 15**

*Please type or print clearly in ink*

**Fall implementation monitoring** is visual monitoring of timber harvest and vegetation management areas, roads, stream crossings, landings, etc., to ensure all management practices designed to prevent sediment delivery and protect water quality (such as erosion control measures, riparian buffers, water bars, critical dips) are in place and secure prior to the winter period. Fall implementation monitoring and reporting is required every year for the duration of the project/plan and until a Notice of Termination of Timber Waiver Coverage is issued by Water Board staff. This complete form or report containing equivalent information must be submitted in accordance with the requirements of this monitoring and reporting program.

1. **Project/Plan Name:**

2. **CAL FIRE Issued Plan Number** (if regulated by CAL FIRE):

3. 

Yes	No
-----	----

 Have timber harvest and vegetation management activities under this project/plan commenced?

If **yes**, please complete this form and associated monitoring.

If **no**, when are operations anticipated to begin (if known)?  If operations have not commenced by November 15, you are not required to complete the remainder of this form, please sign the landowner signature box at the bottom of page 5, and submit to the Water Board by January 15<sup>th</sup>.

4. **Inspector's name and title:**

**Date of inspection:**

**All of the following sites (sections 5 – 16) must be inspected between October 15 and November 15, or indicated as not present within the project/plan:**

5. **Watercourse crossings:** Inspected:  None within area:

Yes	No	<b>Have all watercourse crossings and associated fills and approaches been constructed or reconstructed to prevent diversion of stream overflow down the road and to minimize fill erosion and delivery to a waterbody if the drainage structure became plugged?</b>
-----	----	--

Yes	No	<b>Are all necessary critical dips properly installed?</b> (A properly installed critical dip, or other overflow structure, should be on the downhill side of all crossings.)
-----	----	---

Yes	No	<b>Is there any risk of stream diversion during a high runoff event?</b>
-----	----	--

Yes	No	<b>Is road runoff disconnected before it reaches the watercourse crossing?</b> (For example, are waterbreaks (i.e., rolling dips or waterbars) placed on the approaches to the crossing so that runoff and sediment is filtered prior to potential
-----	----	---

discharge to a waterbody? It may be impossible to disconnect all of the road drainage from the watercourse. However, the length of road draining to the stream should be kept to a minimum.)

Yes No

**Are all fill slopes adequately armored?**

Yes No

**If road surfacing (e.g., rock aggregate) is to be used near or at the watercourse crossing, is it done to the specification listed in the approved plan?** (At the minimum, rocking should be done at the size, depth, and extent listed in the approved plan.)

Yes No

**Are culverts clear of debris?**

Yes No

**Have all constructed or reconstructed watercourse crossings been installed and armored to prevent sediment discharge?** (e.g., by channel erosion, inlet scour, and road fill erosion)

Yes No

**Do all Class I watercourse crossings allow for fish passage?**

Yes No

**Have all temporary (seasonal) watercourse crossings been removed?** (All temporary fill should be excavated to form a channel that is as close as feasible to the natural watercourse grade and orientation, and that is wider than the natural channel.)

Additional notes on watercourse crossings within the project/plan area:

6. **Water diversions and watering holes:**

Inspected:

☐

None within area:

☐

Additional notes on water diversions and watering holes within the project/plan area:

7. **All roads:**

Inspected:

☐

None within area:

☐

Yes No

**Are all roads** (permanent, seasonal, or temporary road segments used for timber operations within the project/plan area, and roads appurtenant to operations where such roads are under the ownership or control of the landowner or manager) **adequately stabilized to prevent sediment delivery to a surface water?**

Additional notes on road segments within the project/plan area:

8. **All existing and constructed landings:**

Inspected:

☐

None within area:

☐

Additional notes on existing and constructed landings within the project/plan area:

9. **All existing and constructed skid trails:**

Inspected:

☐

None within area:

☐

Yes

No

**Are all skid trails adequately stabilized to prevent sediment delivery to a surface water?** (e.g., are all water bars properly installed)

Additional notes on existing and constructed skid trails within the project/plan area:

10. **Status of all known or suspected landslides near roads, streams, or ground-based equipment operations:**

Inspected:

☐

None within area:

☐

Additional notes landslides within the project/plan area:

11. **All unstable areas:**

Inspected:

☐

None within area:

☐

Yes

No

**Were unstable areas avoided during timber harvest and vegetation management activities?** (Unless allowed in the approved plan, make sure that timber harvest and vegetation management activities did not occur in unstable areas.)

Yes

No

**Will timber harvest and vegetation management activities cause runoff to discharge into unstable areas?** (Make sure that waterbreaks on roads, skid trails, or cable roads drain water away from unstable areas to non-erodible surfaces.)

Yes

No

**If timber harvest and vegetation management activities are permitted within unstable areas, have all site-specific mitigations listed within the approved plan been implemented?**

Additional notes on unstable areas within the project/plan area:

12. **Recommendations made by Water Board staff during the pre-harvest inspection:**

Inspected:

☐

None within area:

☐

Yes      No      **Were all written recommendations made by Water Board staff in the pre-harvest inspection report implemented?**

Additional notes on recommendations made by Water Board staff:

13.    Yes      No      **Have all management practices** (e.g., riparian buffers, erosion control measures, water bars, critical dips) **been implemented to prevent sediment delivery to surface waters?**

If not, please explain what corrective measures will be taken to maintain compliance with the Timber Waiver and to prevent impacts to water quality:

(attach additional pages if necessary)

14.    Yes      No      **Did you observe any signs of sediment delivery or potential sediment delivery** (e.g., failed stream banks, rills, gullies, unstabilized spoils) **within the project area?**

If so, please describe the sediment sources, and what corrective measures will be taken to maintain compliance with the Timber Waiver and to prevent impacts to water quality:

(attach additional pages if necessary)

**15. Photo-Point Monitoring:**

Yes      No      **Is photo-point monitoring required for your project?** Photo-point monitoring is required if the project/plan includes (1) the construction or reconstruction of a span crossing over a watercourse, (2) the construction or reconstruction of a watercourse crossing using a culvert that is 24 inches or greater in diameter, **or** (3) if Water Board staff requested photo-point monitoring.

Yes      No      N/A      **Have photos been taken at all points and included with this from along with a completed Photo-Point Monitoring Form (Attachment L)?**

16.    Yes      No      **Are operations planned between** October 15 and April 30?

If you answered **yes**, you must complete the Winter Implementation Monitoring Form (Attachment H) immediately following cessation of winter period operations in areas where winter operations have occurred, and report this monitoring to the Water Board by **July 15<sup>th</sup>**.

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that all information contained in this monitoring report is true, accurately represents site conditions, and complete. I also certify that all timber harvest and vegetation management activities conducted under this project/plan have been in conformance with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions for Category 5 or 6 of the Timber Waiver. If any deviation from the approved plan, and/or the Timber Waiver eligibility criteria and conditions has been identified I have disclosed such deviations in this form along with corrective actions that will be taken to resolve the problem.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

**Invitation for feedback:** Water Board staff respectfully request any constructive feedback regarding the monitoring program with regard to your project. Completing this section is not a requirement. Water Board staff may use your comments and suggestions to improve this program for future projects. Comments may include:

- perceived effectiveness of the program in protecting water quality
- recommendations on how to make the monitoring program more efficient, reliable, or effective
- impressions of recommendations made by Water Board staff regarding your project (e.g., Do they appear to be effective, is there a practice or a performance standard that would have been more cost-effective at protecting water quality?)

Attachment H  
California Regional Water Quality Control Board  
Lahontan Region

## Winter Implementation Monitoring Form

### Categories 5 and 6

**This form and associated monitoring must be completed at the conclusion of winter operations, or by April 1, whichever is sooner, and submitted to the Water Board by July 15**

*Please type or print clearly in ink*

**Winter implementation monitoring is only required if you conducted winter period operations,** and consists of visual monitoring of project/plan area where winter operations have occurred. This inspection should verify all management measures designed to prevent sediment delivery and protect water quality are in place and secure at the conclusion of winter operations.

1. **Project/Plan Name:**

2. **CAL FIRE Issued Plan Number** (if regulated by CAL FIRE):

3. **Inspector's name and title:**

**Date of inspection:**

4.    Yes        No        **Have all watercourse crossings and associated fills and approaches been constructed or reconstructed to prevent diversion of stream overflow and to minimize fill erosion and delivery to a waterbody if the drainage structure becomes plugged?** If no, please explain in an addendum to this form how stream diversion or obstruction and/or sediment delivery to a watercourse will be prevented.

5.    Yes        No        **Have all necessary critical dips been properly installed?** If no, please explain in an addendum to this form why they have not been installed and/or when they will be installed.

6.    Yes        No        **Have you observed any risk of stream diversion or obstruction of the natural flow of water in watercourse channels as a result of timber harvest and vegetation management activities?** If yes, please explain in an addendum to this form what these risks are, where they are located, what is proposed to prevent stream diversion or obstruction, and when these corrective actions will be implemented.

7.    Yes        No        Not applicable to this project        **Have all temporary over-snow skid trail watercourse crossings been removed without disturbing soils or damaging watercourse bed or banks?** If no, please explain in an addendum to this form what actions have been taken to resolve watercourse bed or bank disturbance, or when temporary crossings will be removed.

8.    Yes        No        Not applicable        **Has all snow movement, plowing, packing, and/or cutting associated with timber harvest and vegetation management**

to this project **activities allowed for adequate road drainage and dissipation of snowmelt or runoff?** If no, please explain in an addendum to this form why road drainage and runoff dissipation is inadequate, and when it will be resolved.

9. Yes No Not applicable to this project **Have all culverts and drainage structures been cleared of debris, packed snow, and ice?** If no, please explain in an addendum to this form why, and when this work will be implemented.

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that all information contained in this monitoring report is true, accurately represents site conditions, and complete. I also certify that all timber harvest and vegetation management activities conducted under this project/plan have been in conformance with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions for Category 5 or 6 of the Timber Waiver. If any deviation from the approved plan, and/or the Timber Waiver eligibility criteria and conditions has been identified I have disclosed such deviations in this form along with corrective actions that will be taken to resolve the problem.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Invitation for feedback:** Water Board staff respectfully request any constructive feedback regarding the monitoring program with regard to your project. Completing this section is not a requirement. Water Board staff may use your comments and suggestions to improve this program for future projects. Comments may include:

- perceived effectiveness of the program in protecting water quality
- recommendations on how to make the monitoring program more efficient, reliable, or effective
- impressions of recommendations made by Water Board staff regarding your project (e.g., Do they appear to be effective, is there a practice or a performance standard that would have been more cost-effective at protecting water quality?)

Attachment I  
California Regional Water Quality Control Board  
Lahontan Region

## Forensic Monitoring Form

### Categories 5 and 6

**This form and associated monitoring must be completed soon after  
two significant rain events (> 2 inches) between November 1 and May 1  
and submitted to Water Board by July 15**

*Please type or print clearly in ink*

**Forensic monitoring:** is conducted soon after significant rain events and consists of visual monitoring of:

- surface waters                      ▪ watercourse crossings                      ▪ landings                      ▪ hillslopes
- unstable areas                      ▪ roads                      ▪ waterbody buffer zones                      ▪ skid trails

The purpose of this monitoring is to:

- (1) detect elevated turbidity levels in surface waters, and locate sources of sediment discharges;
- (2) determine the condition of installed management measures,
- (3) detect failure to implement necessary management measures,
- (4) detect pollution caused by failed management measures,
- (5) detect problems related to legacy timber activities and general timber harvest and vegetation management activities; and
- (6) identify sources of potential sediment delivery in a timely manner so that rapid corrective action may be taken where feasible and appropriate.

This monitoring must be conducted at least twice during each winter period and reported every year on July 15<sup>th</sup> for the duration of the project/plan and until a Notice of Termination of Timber Waiver Coverage is issued by Water Board staff. This form or report containing equivalent information must be completed and signed.

**Forensic monitoring requirements are waived if significant environmental impacts would result from road system use to access the project/plan area, or if worker safety would be compromised.** If these conditions exist please indicate this at the top of page 2, and continue to Effectiveness Monitoring on page 4. This form or an equivalent form or report must still be signed and submitted to the Water Board by July 15<sup>th</sup>.

**Project/Plan Name:**

**CAL FIRE Issued Plan Number** (if regulated by CAL FIRE):

Yes	No
-----	----

Have timber harvest and vegetation management activities under this project/plan commenced?

If **yes**, please complete this form and associated monitoring.

If **no**, when are operations anticipated to begin (if known)? \_\_\_\_\_ If operations have not commenced by May 1, you are not required to complete the remainder of this form, please sign the landowner signature box at the bottom of page 8 and submit to the Water Board by July 15<sup>th</sup>.



Within 36 hours of a significant rain event (>2 inches in 24 hours) inspect the accessible project/plan area and waterbodies immediately downstream of operations (where accessible) and complete the following:

1. **Inspector's name and title:**

2. **Date of inspection:**

3. **Weather Observations and Precipitation Levels:**

(Some of this information may be obtained at the following webpage: <http://water.weather.gov/>)

Stream Stage (select one):	<input type="checkbox"/> Dry	<input type="checkbox"/> Low	<input type="checkbox"/> Moderate	<input type="checkbox"/> High	<input type="checkbox"/> Flooding
Precipitation (select one):	<input type="checkbox"/> None	<input type="checkbox"/> Drizzle	<input type="checkbox"/> Rain	<input type="checkbox"/> Snow	
Date of and approximate time of last precipitation:	(This information may be obtained at the following webpage: <a href="http://water.weather.gov/">http://water.weather.gov/</a> )				
Accumulated precipitation this season:	_____ inches of		<input type="checkbox"/> Rain	<input type="checkbox"/> Snow	
(This information may be obtained at the following webpage: <a href="http://water.weather.gov/">http://water.weather.gov/</a> )					
Additional notes on weather and precipitation:					

**Inspect all the following areas and infrastructure (sections 4-10) within the project/plan area if accessible.**

Use the space following each area listed below to indicate whether such areas exist within the project/plan area, if they were inspected, or if they were not accessible for inspection.

Look for signs of erosion and transport of sediment to a waterbody. These signs may include:

- landsliding
- erosion voids
- tension cracking or settling of road fill or sidecast
- rilling or gullyng of road surfaces, road fills, landings, cutbanks, etc.
- increased levels of sediment/turbidity in waterbodies immediately downstream of operations

Use the space following each area listed below to indicate if evidence of sediment erosion or delivery to a waterbody are observed.

If evidence of sediment erosion and delivery are observed:

- ☐ Identify the waterbody and describe specific locations within or adjacent to the waterbody.
- ☐ Photograph the source of sediment and point of delivery to the waterbody and record photo monitoring using the Photo-Point Monitoring Form (Attachment L).
- ☐ Describe what and when corrective measures will be taken to stop sediment delivery and protect water quality.

If increased levels of sediment/turbidity are observed in neighboring waterbodies:

- ☐ Describe where and in which waterbody.

- ☐ Explain if this turbidity is a result of sediment discharges from within the project area. Is the sediment coming from a hillslope feature such as a stream crossing or unstable area? Cause-and-effect can be determined if the water becomes noticeably muddy below a hillslope feature.
- ☐ Describe what and when corrective measures will be taken to stop sediment delivery and protect water quality.

If any erosion or failed management measures cause, or may cause, one or more cubic yards of sediment delivery to a waterbody, then photo-point monitoring is required using the Photo-Point Monitoring Form (Attachment L).

If these areas are not accessible for monitoring, please indicate why. Acceptable reasons may include:

- ☐ Significant environmental impacts would result from road system use to access the project/plan area or waterbodies immediately downstream of operations.
- ☐ Worker safety would be compromised.

4. Areas where timber harvest and vegetation management activities have been conducted within or near unstable areas.

(attach additional pages if necessary)

5. Constructed or re-constructed watercourse crossings.

(attach additional pages if necessary)

6. Class I, II, or IV (with domestic use) watercourse and lake protection zones where ground based equipment operations have occurred (e.g., skid trail crossings).

(attach additional pages if necessary)

7. Road construction or reconstruction within 150 feet of a Class I, II, or IV (with domestic use) watercourse.

(attach additional pages if necessary)

8. Landing construction or reconstruction within waterbody buffer zone(s).

(attach additional pages if necessary)

9. Areas classified as high or extreme erosion hazard rating where ground-based equipment has been operated and there is potential for water quality impacts.

(attach additional pages if necessary)

10. Areas of in-lieu practices that have the potential to impact water quality.

(attach additional pages if necessary)

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that all information contained in this monitoring report is true, accurately represents site conditions, and is complete. I also certify that all timber harvest and vegetation management activities conducted under this project/plan have been in conformance with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions for Category 5 or 6 of the Timber Waiver. If any deviation from the approved plan, and/or the Timber Waiver eligibility criteria and conditions has been identified I have disclosed such deviations in this form along with corrective actions that will be taken to resolve the problem.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## Inspection #2

Within 36 hours of a significant rain event (>2 inches in 24 hours) inspect the accessible project/plan area and waterbodies immediately downstream of operations (where accessible) and complete the following:

1. **Inspector's name and title:**

2. **Date of inspection:**

3. **Weather Observations and Precipitation Levels:**

(Some of this information may be obtained at the following webpage: <http://water.weather.gov/>)

Stream Stage (select one):	<input type="checkbox"/> Dry	<input type="checkbox"/> Low	<input type="checkbox"/> Moderate	<input type="checkbox"/> High	<input type="checkbox"/> Flooding
Precipitation (select one):	<input type="checkbox"/> None	<input type="checkbox"/> Drizzle	<input type="checkbox"/> Rain	<input type="checkbox"/> Snow	
Date of and approximate time of last precipitation:	(This information may be obtained at the following webpage: <a href="http://water.weather.gov/">http://water.weather.gov/</a> )				
Accumulated precipitation this season:	_____ inches of		<input type="checkbox"/> Rain	<input type="checkbox"/> Snow	
(This information may be obtained at the following webpage: <a href="http://water.weather.gov/">http://water.weather.gov/</a> )					
Additional notes on weather and precipitation:					

**Inspect all the following areas and infrastructure (sections 4-10) within the project/plan area if accessible.**

Use the space following each area listed below to indicate whether such areas exist within the project/plan area, if they were inspected, or if they were not accessible for inspection.

Look for signs of erosion and transport of sediment to a waterbody. These signs may include:

- landsliding
- erosion voids
- tension cracking or settling of road fill or sidecast
- rilling or gullying of road surfaces, road fills, landings, cutbanks, etc.
- increased levels of sediment/turbidity in waterbodies immediately downstream of operations

Use the space following each area listed below to indicate if evidence of sediment erosion or delivery to a waterbody are observed.

If evidence of sediment erosion and delivery are observed:

- ☐ Identify the waterbody and describe specific locations within or adjacent to the waterbody.
- ☐ Photograph the source of sediment and point of delivery to the waterbody and record photo monitoring using the Photo-Point Monitoring Form (Attachment L).
- ☐ Describe what and when corrective measures will be taken to stop sediment delivery and protect water quality.

If increased levels of sediment/turbidity are observed in neighboring waterbodies:

- ☐ Describe where and in which waterbody.

- ☐ Explain if this turbidity is a result of sediment discharges from within the project area. Is the sediment coming from a hillslope feature such as a stream crossing or unstable area? Cause-and-effect can be determined if the water becomes noticeably muddy below a hillslope feature.
- ☐ Describe what and when corrective measures will be taken to stop sediment delivery and protect water quality.

If any erosion or failed management measures cause, or may cause, one or more cubic yards of sediment delivery to a waterbody, then photo-point monitoring is required using the Photo-Point Monitoring Form (Attachment L).

If these areas are not accessible for monitoring, please indicate why. Acceptable reasons may include:

- ☐ Significant environmental impacts would result from road system use to access the project/plan area or waterbodies immediately downstream of operations.
- ☐ Worker safety would be compromised.

4. Areas where timber harvest and vegetation management activities have been conducted within or near unstable areas.

(attach additional pages if necessary)

5. Constructed or re-constructed watercourse crossings.

(attach additional pages if necessary)

6. Class I, II, or IV (with domestic use) watercourse and lake protection zones where ground based equipment operations have occurred (e.g., skid trail crossings).

(attach additional pages if necessary)

7. Road construction or reconstruction within 150 feet of a Class I, II, or IV (with domestic use) watercourse.

(attach additional pages if necessary)

8. Landing construction or reconstruction within waterbody buffer zone(s).

(attach additional pages if necessary)

9. Areas classified as high or extreme erosion hazard rating where ground-based equipment has been operated and there is potential for water quality impacts.

(attach additional pages if necessary)

10. Areas of in-lieu practices that have the potential to impact water quality.

(attach additional pages if necessary)

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that all information contained in this monitoring report is true, accurately represents site conditions, and is complete. I also certify that all timber harvest and vegetation management activities conducted under this project/plan have been in conformance with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions for Category 5 or 6 of the Timber Waiver. If any deviation from the approved plan, and/or the Timber Waiver eligibility criteria and conditions has been identified I have disclosed such deviations in this form along with corrective actions that will be taken to resolve the problem.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Invitation for feedback:** Water Board staff respectfully request any constructive feedback regarding the monitoring program with regard to your project. Completing this section is not a requirement. Water Board staff may use your comments and suggestions to improve this program for future projects. Comments may include:

- perceived effectiveness of the program in protecting water quality
- recommendations on how to make the monitoring program more efficient, reliable, or effective
- impressions of recommendations made by Water Board staff regarding your project (e.g., Do they appear to be effective, is there a practice or a performance standard that would have been more cost-effective at protecting water quality?)

Attachment J  
California Regional Water Quality Control Board  
Lahontan Region

## Effectiveness Monitoring Form

### Categories 5 and 6

**This form and associated monitoring must be completed soon after  
the winter period, between March 15 and June 15,  
and submitted to Water Board by July 15**

*Please type or print clearly in ink*

**Effectiveness monitoring:** is a visual evaluation of management measures within the project/plan area following the winter period, typically between March 15 and June 15, to determine the effectiveness of implemented management measures in preventing sediment discharge to surface waters and protecting water quality. Effectiveness monitoring and reporting is required every year for the duration of the project/plan and until a Notice of Termination of Timber Waiver Coverage is issued by Water Board staff.

As soon as possible, following the winter period, inspect the project/plan area and complete this form or report containing equivalent information. However, do not access the site if soils are saturated, if significant environmental impacts would result from road system use, or if worker safety would be compromised.

Effectiveness monitoring is performed at the end of the winter period. Management measures are considered to be effective if they result in no significant pollution or have little risk of significant pollution. The landowner should focus on the following areas and inspect them for signs of sediment delivery to watercourses:

1. **Project/Plan Name:**

**CAL FIRE Issued Plan Number** (if regulated by CAL FIRE):

2. **Inspector's name and title:**

**Date of inspection:**

3. **Weather Observations and Precipitation Levels:** Complete the following based on site-specific observations and/or local weather data.

Accumulated precipitation this season: \_\_\_\_\_ inches of ☐ Rain ☐ Snow

(This information may be obtained at the following webpage: <http://water.weather.gov/>)

Additional notes on weather and precipitation:

**Inspect all the following areas and infrastructure** (sections 4-10) **within the project/plan area once conditions allow.**

Use the space following each area listed below to indicate whether such areas exist within the project/plan area, if they were inspected, or if they were not accessible for inspection.

Look for signs of erosion and transport of sediment to a waterbody. These signs may include:

- Landsliding
- erosion voids
- tension cracking or settling of road fill or sidecast
- rilling or gullying of road surfaces, road fills, landings, cutbanks, etc.
- increased levels of sediment/turbidity in waterbodies immediately downstream of operations



Use the space following each area listed below to indicate if evidence of sediment erosion or delivery to a waterbody are observed.

If evidence of significant ( $> 1 \text{ yd}^3$ ) sediment erosion and delivery are observed:

- ☐ Describe where and in which waterbody.
- ☐ Photograph the source of sediment and point of delivery to the waterbody and record photo monitoring using the Photo-Point Monitoring Form (Attachment L).
- ☐ Describe what and when corrective measures will be taken to stop sediment delivery and protect water quality.

If increased levels of sediment/turbidity are observed in waterbodies immediately downstream of operations:

- ☐ Describe where and in which waterbody.
- ☐ Explain if this turbidity is a result of sediment discharges from within the project area. Is the sediment coming from a hillslope feature such as a stream crossing or unstable area? Cause-and-effect can be determined if the water becomes noticeably muddy below a hillslope feature.
- ☐ Describe what and when corrective measures will be taken to stop sediment delivery and protect water quality.

If any erosion or failed management measures cause, or may cause, one or more cubic yards of sediment delivery to a waterbody, then photo-point monitoring is required using the Photo-Point Monitoring Form (Attachment L).

If any evidence of failed management is observed:

- ☐ Describe what management practice failed and its within the project/plan area.
- ☐ Describe what and when corrective measures will be taken to stop and/or prevent sediment delivery and protect water quality.

4. Areas where timber harvest and vegetation management activities have been conducted within or near unstable areas.

(attach additional pages if necessary)

5. Constructed or re-constructed watercourse crossings.

(attach additional pages if necessary)

6. Class I, II, or IV (with domestic use) watercourse and lake protection zones where ground based equipment operations have occurred (e.g., skid trail crossings).

(attach additional pages if necessary)

7. Road construction or reconstruction within 150 feet of a Class I, II, or IV (with domestic use) watercourse.

(attach additional pages if necessary)

8. Landing construction or reconstruction within waterbody buffer zone(s).

(attach additional pages if necessary)

9. Areas classified as high or extreme erosion hazard rating where ground-based equipment has been operated and there is potential for water quality impacts.

(attach additional pages if necessary)

10. Areas of in-lieu practices that have the potential to impact water quality.

(attach additional pages if necessary)

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that all information contained in this monitoring report is true, accurately represents site conditions, and is complete. I also certify that all timber harvest and vegetation management activities conducted under this project/plan have been in conformance with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions for Category 5 or 6 of the Timber Waiver. If any deviation from the approved plan, and/or the Timber Waiver eligibility criteria and conditions has been identified I have disclosed such deviations in this form along with corrective actions that will be taken to resolve the problem.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Invitation for feedback:** Water Board staff respectfully request any constructive feedback regarding the monitoring program with regard to your project. Completing this section is not a requirement. Water Board staff may use your comments and suggestions to improve this program for future projects. Comments may include:

- perceived effectiveness of the program in protecting water quality
- recommendations on how to make the monitoring program more efficient, reliable, or effective
- impressions of recommendations made by Water Board staff regarding your project (e.g., Do they appear to be effective, is there a practice or a performance standard that would have been more cost-effective at protecting water quality?)

Attachment K  
Lahontan Regional Water Quality Control Board

## Category 6 Application Form and Monitoring and Reporting Program

### Conditional Waiver for Timber Harvest and Vegetation Management Activities

*Please type or print clearly in ink*

**1. Project Name:** (Enter name given to project, if any)

**Plan Number:** (If regulated by CAL FIRE, enter the number of the plan or exemption/emergency notice assigned to the project if available. If a CAL FIRE number is not available, but the project will proceed under an exemption or emergency, please state "CAL FIRE Exemption" or "CAL FIRE Emergency" in this box.)

**County:**

**2. Landowner's Contact Information:** (If there is more than one landowner, list their contact information in an addendum to this form.)

Name of individual, company, or agency:		
Company or agency contact:		
Address:		
City:	State:	Zip Code:
Phone:	E-mail address (optional):	

**3. Name and Phone Number of Contact Person(s):** (List the primary person(s) supervising/implementing on-site operations.)

Name:	Phone:
Name:	Phone:



**A Registered Professional Forester (RPF) or Federal Forestry Professional must complete sections 7, 8, and 9 of this form:**

**7. RPF or Federal Forestry Professional Contact Information:**

Name:	RPF License Number:	
Address:		
City:	State:	Zip Code:
Phone:	E-mail address (optional):	

**8. Specific Project Information:**

**Circle One**

Yes      No      **Is aquatic or wetland habitat within the project area?**

If yes, what avoidance, minimization, or mitigation measures have been incorporated into the project to reduce potential impacts to less than significant?

(attach additional pages if necessary)

Yes      No      **Does the project area include known landslides or unstable areas?**

If yes, what avoidance, minimization, or mitigation measures have been incorporated into the project to reduce potential impacts to less than significant?

(attach additional pages if necessary)

Yes      No      **Does the project area include migrating channels, erodible waterbody banks, overflow channels, flood prone areas, and riparian areas?**

If yes, what avoidance, minimization, or mitigation measures have been incorporated into the project to reduce potential impacts to less than significant?

(attach additional pages if necessary)

Yes      No      **Does the project area include overflow channels resulting from the obstruction of stream flow or stream diversions?**

If yes, what management measures have been incorporated into the project to prevent the obstruction of natural stream flow and sediment delivery to waterbodies?

(attach additional pages if necessary)

Yes      No      **Does the project area include culverts showing evidence of inadequate flow capacity?**

If yes, what management measures have been incorporated into the project to prevent the obstruction of natural stream flow and sediment delivery to waterbodies? If culverts are proposed for replacement, provide design and installation methods (especially with regards to the protection of water quality).

(attach additional pages if necessary)

Yes      No      **Are skid trails proposed for slopes greater than 40%?**

If yes, what management measures have been incorporated into the project to prevent erosion, slope destabilization, and sediment delivery to waterbodies?

(attach additional pages if necessary)

Yes      No      **Does the proposed project include the construction of new watercourse crossings and/or modification of existing watercourse?**

If yes, what management measures have been incorporated into the project to prevent erosion, stream bank destabilization, and sediment delivery to waterbodies?

(attach additional pages if necessary)

Yes      No      **Are landing(s) and/or skid trail(s) within Waterbody Buffer Zones proposed for construction, reconstruction, or use, as part of the proposed project?**

If yes, what management measures have been incorporated into the project to prevent sediment delivery to waterbodies?

(attach additional pages if necessary)

Yes      No      **Are operations between October 16 and April 30 proposed?**

If yes, what management practices have been incorporated into the project to prevent soil disturbance and sediment delivery to waterbodies?

(attach additional pages if necessary)

Yes      No      **Are operations proposed within Equipment Limitation Zones (ELZs)?**

If yes, what management practices have been incorporated into the project to prevent soil disturbance and sediment delivery to waterbodies?

(attach additional pages if necessary)

Yes      No      **Does the proposed project include prescribed burning?**

If yes, summarize the purpose and method of the burn prescription, including design features or mitigation measures to reduce impacts to less than significant:

(attach burn plan or additional pages if necessary)

Yes      No      **Does the proposed project include the application of herbicides?**

If yes, please notify the Water Board staff in an addendum to this form, or in a separate notice, at least 30 days prior to the proposed application. The written notice must include the following: (a) type of herbicide, (b) method and area of application, (c) projected date of application, (d) measures that will be employed to assure compliance with the Water Quality Control Plan for the Lahontan Region. (Subsequent changes to the proposal must be submitted in writing at least 14 days before the application, unless Water Board staff agree in writing to a shorter notice period.)

## 9. Certification:

I, the Registered Professional Forester or Federal Forestry Professional, hereby certify that the information sections 7, 8, and 9 of this application accurately represents site conditions and that my assessments made above are true and correct.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**10. Map of Project Area:** To complete your application, include a USGS 7.5 minute topographic (or equivalent or greater scale) map that clearly indicates the information listed below. Map(s) that have been created as part of a CEQA or other planning document, may substitute for creating an individual map for this application. Ensure these maps have been submitted to the Water Board and provide all the required information.

- ☐ The project area boundary.
- ☐ The relative location of the project to a nearby city, town, or landmark.
- ☐ Location of private and public roads to be used within the project area. Include the location of private and public roads that will be used to access the project areas from a paved county, state, municipal, or federal road. Label the name or number of each road and indicate if such roads are under the ownership or control of the land owner or manager. (The appurtenant roads may be shown on a separate map which may be planimetric with a smaller scale.)
- ☐ Location of road failures on existing roads proposed for reconstruction.
- ☐ Location and description of proposed operations (including landings and skid trails) within Waterbody Buffer Zones.
- ☐ Location of proposed landing construction or reconstruction where greater than  $\frac{1}{4}$  acre of excavation, grading, or surface clearing will occur or identify areas found to be suitable for possible landing construction.
- ☐ Location of all existing and proposed watercourse crossings (including skid trail watercourse crossings).
- ☐ Location of erosion hazard rating areas, if more than one rating exists.
- ☐ Location of known unstable areas or slides.
- ☐ Boundaries of yarding (logging) systems, if more than one system is to be used.
- ☐ Location of proposed temporary over-snow skid trail watercourse crossings (if known).
- ☐ Location of marshes, meadows, springs, and other wet areas within the project area.
- ☐ Location, classification, and name (if applicable) of all waterbodies within the project area. (Information on waterbody classification is provided in Attachment B.) Complete the following if the project area does not include a waterbody:

Name of nearest downstream waterbody:
Classification:
Distance from project boundary:

## Monitoring and Reporting Program

Pursuant to Water Code section 13267, visual monitoring and semi-annual reporting are required for all projects that proceed under Category 6 of the Timber Waiver, **unless the Executive Officer imposes individual monitoring and reporting requirements, or if the Water Board or Executive Officer waives monitoring and reporting requirements for projects determined to not pose a significant threat to water quality** pursuant to Water Code section 13269, subdivision (a)(3).

This monitoring and reporting program has been developed to assure compliance with the requirements of the Water Quality Control Plan for the Lahontan Region (Basin Plan) and to verify the adequacy and effectiveness of the Timber Waiver conditions and eligibility criteria pursuant to Water Code section 13269, subdivision (a)(2). This completed form, or a report containing equivalent information, must be submitted in accordance with the requirements of this monitoring and reporting program.

To request an alternate monitoring and reporting program contact Water Board staff in the Non-Point Source Pollution Control Unit at (530) 542-5400 to discuss required submittals.

### Monitoring and Reporting Program for Category 6 Projects:

The level and frequency of required visual monitoring varies depending on the project-specific site characteristics. If any of the following conditions exist within the project, then implementation monitoring (described on page 8), forensic monitoring (described on page 9), and effectiveness monitoring (described on page 9) are required.

However, if none of these conditions exist within the project, then **only** implementation monitoring (described on page 8) is required.

<b>Circle One</b>		
Yes	No	Does the project involve the construction or re-construction of watercourse crossings over Class I, II, or Class IV (with domestic use) watercourses?
Yes	No	Does the project involve ground-based equipment operations within a waterbody buffer zone(s) beyond the existing road prism?
Yes	No	Does the project include winter operations?
Yes	No	Does the project include road construction or re-construction within 150 feet of a Class I, II, or IV (with domestic use) watercourse?
Yes	No	Does the project include landing construction or re-construction within waterbody buffer zone(s)?
Yes	No	Does the project include ground-based equipment operations in areas classified High or Extreme Erosion Hazard Rating?

## **Implementation Monitoring:**

---

Implementation monitoring is visual monitoring of timber harvest and vegetation management areas (e.g., roads, stream crossings, skid trails, landings) to ensure all best management practices designed to prevent sediment delivery and protect water quality (such as erosion control measures, riparian buffers, water bars, critical dips) are in place and secure prior to the winter period, and at the conclusion of winter operations if winter operations occur.

### **Fall Implementation Monitoring:**

---

Fall implementation monitoring is required for all projects that proceed under Category 6. Review the attached Fall Implementation Monitoring Form (Attachment G) to familiarize yourself with what is required between October 15 and November 15 of each year. This monitoring must be reported to the Water Board by **January 15<sup>th</sup> of each year**.

### **Winter Implementation Monitoring:**

---

Winter implementation monitoring is required for all projects that proceed with winter operations in a given year. Review the attached Winter Implementation Monitoring Form (Attachment H) to familiarize yourself with what is required once winter operations conclude each year. This monitoring must be reported to the Water Board by **July 15<sup>th</sup> of each year**.

### **Areas to Inspect during Implementation Monitoring:**

---

All of the following sites must be inspected to complete implementation monitoring (if present):

- watercourse crossings
- landings
- water diversions and watering holes
- water drafting locations
- roads
- skid trails
- known or suspected landslides near roads, streams, or ground-based equipment operations.
- areas where temporary watercourse crossings have been removed

## **Forensic and Effectiveness Monitoring:**

---

### **Forensic Monitoring:**

---

Forensic monitoring is visual monitoring of surface waters and waterbody buffer zones to identify evidence of sediment delivery and/or locate sources of sediment delivery (or potential delivery) in a timely manner so that corrective actions may be taken. Please review the Winter Forensic Monitoring Form (Attachment I) to familiarize yourself with what is required. To complete required winter forensic monitoring, submit a complete and signed monitoring form (Attachment I) or a report containing equivalent information to the Water Board by **July 15<sup>th</sup> of each year**.

### **Effectiveness Monitoring:**

---

Effectiveness monitoring is conducted at or near the end of the spring runoff, preferably between March 15 and June 15, to:

- Evaluate management practices within the project area to determine their effectiveness in preventing sediment discharge to waterbodies and protecting water quality. Areas evaluated should be the same as those inspected during fall implementation monitoring.
- A visual evaluation of the project area to identify any points of sediment delivery that developed during the winter period.

Please review the attached Effectiveness Monitoring Form (Attachment J) to familiarize yourself with what is required. To complete required spring effectiveness monitoring, submit a complete and signed monitoring form (Attachment I or report containing equivalent information) to the Water Board by **July 15<sup>th</sup> of each year**.

### Photo-Point Monitoring:

**Complete the following to determine if Photo-Point Monitoring is required for this project:**

<b>Yes*</b>	No	Does the project include the construction or reconstruction of a span crossing over a watercourse?
<b>Yes*</b>	No	Does the project include the construction or reconstruction of a watercourse crossing using a culvert that is 24 inches or greater in diameter?
<b>Yes*</b>	No	Has Water Board staff requested photo-point monitoring for particular areas of your project (e.g., during application review, project consultation, or site visit)?

\* If you answered yes to any of the above questions Photo-Point Monitoring is required as described in Attachment L.

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that this application and all submittals to the Water Board accurately represent site conditions, that I will comply with all the general conditions of the Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), and all eligibility criteria and conditions of Category 6 of the Timber Waiver.

Signature:

Date:

**DO NOT WRITE IN THIS BOX:** For Water Board Staff Use Only.

### NOTICE OF RECEIPT

### TIMBER WAIVER APPLICATION FORM:

This notice is to inform you that the California Regional Water Quality Control Board, Lahontan Region (Water Board) has received your Application Form. The timber harvest and vegetation management activities described in your application may not begin until Water Board staff has notified you (the discharger) that your application is complete. If **30 days** from the date of receipt (indicated below) have passed, and you have not received a notice of an incomplete application or a notice of ineligibility for the Timber Waiver, you may proceed with timber harvest and vegetation management activities as described in your application.

If you have any questions, propose any material change to the activities described in your application, or want to request expedited review, please contact the Water Board staff assigned to your project as indicated below.

**Date Form Received:**  Timber Waiver coverage expires: March 13, 2014

Water Board Staff Assigned to this Project (primary contact):

- |                          |                |                |  |
|--------------------------|----------------|----------------|--|
| <input type="checkbox"/> | George Cella   | (530) 542-5426 | <a href="mailto:GCella@waterboards.ca.gov">GCella@waterboards.ca.gov</a>     |
| <input type="checkbox"/> | Taylor Farnum  | (530) 542-5449 | <a href="mailto:TFarnum@waterboards.ca.gov">TFarnum@waterboards.ca.gov</a>   |
| <input type="checkbox"/> | Anne Holden    | (530) 542-5450 | <a href="mailto:AHolden@waterboards.ca.gov">AHolden@waterboards.ca.gov</a>   |
| <input type="checkbox"/> | Andrea Stanley | (530) 542-5406 | <a href="mailto:AStanley@waterboards.ca.gov">AStanley@waterboards.ca.gov</a> |
| <input type="checkbox"/> | Doug Cushman   | (530) 542-5417 | <a href="mailto:DCushman@waterboards.ca.gov">DCushman@waterboards.ca.gov</a> |
| <input type="checkbox"/> | _____          |                |  |

WDID No. \_\_\_\_\_

☐ Entered into CIWQS

Attachment L  
California Regional Water Quality Control Board  
Lahontan Region

## Photo-Point Monitoring Form

*To be included with either:  
Fall Implementation,  
Winter Implementation, or  
Winter Forensic and Spring Effectiveness  
Monitoring Submittal*

*Please type or print clearly in ink, and attach all printed photos (labeled) or photos on CD (labeled)*

If required, photo-point monitoring reports (with photos and data sheet) must be submitted with all monitoring reports submitted to the Water Board. Complete sections 1 and 2 of this form once, and submit with your Timber Waiver Notification or Application Form.

### 1. Identification of Photo-Point Monitoring Locations:

List all photo-point (PP) monitoring locations below with a brief description of what is located at that particular point (e.g., "Span crossing at Class I watercourse").

Photo-point monitoring locations must include all:

- ☐ Locations where span watercourse crossings will be constructed or reconstructed.
- ☐ Locations where watercourse crossings will be constructed or reconstructed using a 24-inch or greater diameter culvert.
- ☐ Points requested by Water Board staff.

PP #1:

PP #2:

PP #3:

PP #4:

(attach additional pages if necessary)

**All photo-point monitoring locations must also be identified in the field with rebar, flagging, or other method that will last the duration of the project/plan; and on a map that is included with this form.**

### 2. Photo-Point Monitoring Purpose and Frequency:

To complete required photo-monitoring, photo-point monitoring must be completed for all points:

- ☐ prior to project activities at the point
- ☐ during fall and winter implementation monitoring
- ☐ during forensic monitoring (if water quality problems are observed)
- ☐ during effectiveness monitoring.

## Photo-Point Monitoring Data Sheet

1. **Plan or Project Name:**

CAL FIRE No. (if regulated by CAL FIRE):

**Monitoring Type:** ☐ Pre-Project Implementation ☐ Forensic ☐ Effectiveness  
☐ Implementation

**Inspector's name and title:**

**Date of inspection:**

Point No. :  
(as indicated on map)

Reason point identified :

Date photo taken:

Time photo taken:

Observations/Notes:

Point No. :  
(as indicated on map)

Reason point identified :

Date photo taken:

Time photo taken:

Observations/Notes:

Point No. :  
(as indicated on map)

Reason point identified :

Date photo taken:

Time photo taken:

Observations/Notes:

Point No. (as indicated on map)	:	_____	Reason point identified	:	_____
Date photo taken:		_____	Time photo taken:		_____
Observations/Notes:					

Point No. (as indicated on map)	:	_____	Reason point identified	:	_____
Date photo taken:		_____	Time photo taken:		_____
Observations/Notes:					

Point No. (as indicated on map)	:	_____	Reason point identified	:	_____
Date photo taken:		_____	Time photo taken:		_____
Observations/Notes:					

Point No. (as indicated on map)	:	_____	Reason point identified	:	_____
Date photo taken:		_____	Time photo taken:		_____
Observations/Notes:					

Attachment M  
California Regional Water Quality Control Board  
Lahontan Region

## Notice of Project Completion Form

**To Certify Completion and Compliance with the Conditional Waiver for Timber Harvest and Vegetation Management Activities and  
Apply for Termination of Coverage, Monitoring, and Reporting Requirements  
for All Projects Requiring Notification of Completion (Categories 4-6)**

*Please type or print clearly in ink*

**1. Project Name:** (Enter name given to project, if any)

**Plan Number:** (If regulated by CAL FIRE, enter the number of the plan or exemption/emergency notice assigned to the project)

**2. Date Project Completed:**

**3. Landowner:**

Name of individual, company, or agency:	
Phone:	E-mail address (optional):

**4. Name and Phone Number of Contact Person(s):** (List the primary person(s) supervising/implementing on-site operations.)

Name:	Phone:
Name:	Phone:

**5. Project Waiver Category:** (under which category did the project proceed?)

- ☐ Category 4: Timber harvest and vegetation management activities which rely on existing roads, meet 12 criteria, and may include winter-period operations
- ☐ Category 5: CAL FIRE – Approved Plans
- ☐ Category 6: Timber harvest and vegetation management activities that do not qualify under categories 1 – 5

I, the Landowner, agent thereof, or Land Manager, hereby certify under penalty of perjury that the timber harvest and/or vegetation management activities for the above-referenced project (plan) were conducted in conformance with applications and submittals to the Water Board and all general conditions and category-specific conditions and criteria of the Conditional Waiver of Waste Discharge Requirements for Discharges from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver), Resolution R6T-2009- (TENTATIVE), for which my project was enrolled.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Upon receipt of this Notice of Completion, and prior to approving or declining termination, Water Board staff will review submittals and may inspect the project or plan area. All monitoring and reporting requirements for the project will remain in effect until Water Board staff formally acknowledge termination of Timber Waiver coverage with a Notice of Termination addressed to the landowner.

**DO NOT WRITE IN THIS BOX:** For Water Board Staff Use Only.

Date Form Received: \_\_\_\_\_

Lead Staff: \_\_\_\_\_

Site Inspection? ☐ No, ☐ Yes, date: \_\_\_\_\_

Staff Notes:

### NOTICE OF TERMINATION:

This Notice of Project Completion Form has been reviewed, and I [☐ inspected ☐ did not inspect] the project site. Based on my review of the project I am:

- ☐ terminating coverage under the Timber Waiver (Board Order No. R6T-2009-TENTATIVE) for this project. All applicable monitoring and reporting requirements are complete for this project.
- ☐ not terminating coverage and requiring further monitoring pursuant to Water Code section 13267.
- ☐ terminating coverage and requiring a Report of Waste Discharge pursuant to California Water Code section 13260.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Effective Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

☐ Entered into CIWQS

Attachment N  
California Regional Water Quality Control Board  
Lahontan Region

**WASTE DISCHARGE PROHIBITION INFORMATION FOR  
ACTIVITIES IN  
FLOODPLAINS OF THE LITTLE TRUCKEE OR TRUCKEE RIVER HYDROLOGIC UNITS,  
OR  
STREAM ENVIRONMENT ZONES AND FLOODPLAINS OF THE LAKE TAHOE  
HYDROLOGIC UNIT**

**Conditional Waiver of Waste Discharge Requirements  
for Timber Harvest and Vegetation Management Activities**

To protect beneficial uses and achieve water quality objectives, the Basin Plan contains prohibitions against waste discharges to lands within 100-year floodplains in the Little Truckee, Truckee River and Lake Tahoe Hydrologic Units (HUs), and prohibitions against "permanent disturbance" in Stream Environment Zones (SEZs) in the Lake Tahoe HU. These prohibitions may apply to certain timber harvest and vegetation management activities conducted in these areas.

The information in this attachment:

1. Summarizes discharge prohibitions and available exemptions.
2. Outlines the types of activities that may require an exemption, and describes the general procedure for obtaining an exemption.
3. Specifies the types of activities and conditions that may proceed in 100-year floodplains and SEZs without triggering the need to obtain an exemption.

**1. Waste Discharge Prohibitions and Exemptions**

Little Truckee and Truckee River HU

*100-year Floodplains*

Chapter 4 (pages 4.1-4 and 4.1-7) of the Basin Plan specifies the following **discharge prohibitions**:

Page 4.1-4 4(c). "The discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic or earthen materials to lands within the 100-year floodplain of the Little Truckee River or any tributary to the Little Truckee River is prohibited."

Page 4.1-7 4(c). "The discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic or earthen materials to lands within the 100-year floodplain of the Truckee River or any tributary to the Truckee River is prohibited."

Chapter 4 (pages 4.1-4 and 4.1-5) provides that **exemptions** may be granted for the following categories of projects that are applicable to timber harvest and vegetation management activities conducted under the Timber Waiver:

- 1) Projects solely intended to reduce or mitigate existing sources of erosion or water pollution or to restore the functional value to previously disturbed floodplain areas.
- 2) Bridge abutments, approaches, or other essential transportation facilities identified in an approved county general plan.
- 3) Projects necessary to protect public health or safety or to provide essential public services.

### Lake Tahoe HU

#### *100-year Floodplains*

Chapter 5 (page 5.2-3) of the Basin Plan specifies the following **discharge prohibitions** for activities within 100-year floodplains:

8. and 9. "The discharge, or threatened discharge, attributable to human activities, of solid or liquid waste materials, including soil, silt, clay, sand and other organic and earthen materials to lands below the highwater rim of Lake Tahoe or within the 100-year floodplain of any tributary to Lake Tahoe is prohibited."

Chapter 5 (page 5.7-6) provides that **exemptions** may be granted for the following categories of projects that are applicable to timber harvest and vegetation management activities in 100-year floodplains conducted under the Timber Waiver:

- 4) Public service facilities if: (a) the project is necessary for public health, safety or environmental protection, (b) there is no reasonable alternative, including spans, which avoids or reduces the extent of encroachment in the floodplain, and (c) impacts on the floodplain are minimized.
- 5) Erosion control projects, habitat restoration projects, SEZ restoration projects and similar projects provided that the project is necessary for environmental protection and there is no reasonable alternative which avoids or reduces the extent of encroachment in the floodplain.

#### *Stream Environment Zones*

Chapter 5 (page 5.2-3) of the Basin Plan specifies the following **discharge prohibitions** for activities within SEZs:

13. "The discharge or threatened discharge, attributable to new development in Stream Environment Zones, of solid or liquid waste, including soil, silt, sand, clay, rock, metal, plastic, or other organic, mineral or earthen materials, to Stream Environment Zones in the Lake Tahoe basin is prohibited."

"New development" as used in the Prohibition 13 means ". . . construction activity resulting in permanent soil disturbance . . . New development does not include maintenance or repair of an existing structure or the replacement of any existing structure with another structure on the same parcel of no greater land coverage." (Basin Plan page 5.2-4). This means that if an activity occurs in an SEZ that does not result in permanent disturbance, the prohibition is not violated.

Available Exemptions for Timber Harvest and Vegetation Management Activities within the Little Truckee River, Truckee River, and Lake Tahoe HUs

Chapter 5 (page 5.8-7) provides that **exemptions** may be granted for the following categories of projects that are applicable to timber harvest and vegetation management activities in SEZs conducted under the Timber Waiver:

1. For public service facilities if:
  - a. The project is necessary for public health, safety or the environment;
  - b. There is no reasonable alternative, including spans, which avoids or reduces the extent of encroachment;
  - c. The impacts are fully mitigated; and
  - d. SEZ lands are restored in an amount 1.5 times the area of land developed or disturbed by the project
2. For erosion control projects, habitat restoration projects, wetland restoration projects, SEZ restoration projects, and similar projects, programs and facilities, if:
  - a. The project, program, or facility is necessary for environmental protection;
  - b. There is no reasonable alternative, including relocation, which avoids or reduces the extent of encroachment in the SEZ; and
  - c. Impacts are fully mitigated

According to the Basin Plan, impacts to SEZs due to erosion control projects, habitat restoration projects, wetland restoration projects, or SEZ restoration projects do not need to meet the 1.5:1 restoration requirement.

**2. Types of Activities Which May Be Eligible for a Discharge Prohibition Exemption**

In order to obtain an exemption for a waste discharge prohibition for timber harvest and vegetation management activities, applicants must provide Water Board staff with the information needed to justify the exemption, and allow for a 10-day public review and comment period. The Water Board's Executive Officer is authorized to grant these exemptions; therefore, no Water Board public hearing is typically required.

The nature of certain timber harvest and vegetation management projects makes them eligible for exemptions to the above-described prohibitions. Such eligible projects may include:

- Timber harvest and vegetation management projects to reduce fuel loading that are identified in a community wildfire protection plan
- Improvement of a stream crossing on an existing road to benefit water quality
- Timber harvest and vegetation management projects for aspen regeneration or improvement of riparian conditions
- Construction of an approach or bridge abutment within a 100-year floodplain to conduct timber harvest or vegetation management activities. (Such approaches or bridge abutments do not have to be identified in a county general plan)
- Timber harvest and vegetation management activities to protect forest values, such as wildlife habitat

Examples of activities conducted within 100-year floodplains or in SEZs that would require an exemption include:

- Enlargement of existing permanent watercourse crossings on existing roads
- Construction of temporary roads
- Construction of temporary watercourse crossings in place longer than one season
- Construction of skid trails
- Pile burning
- Conventional equipment operated off-road in SEZs or floodplains

### **3. Activities Not Requiring a Discharge Prohibition Exemption**

Timber harvest and vegetation management activities listed below in Table 2, when conducted in compliance with the Timber Waiver and the conditions specified in Table 2, do not result in discharges in conflict with the above waste discharge prohibitions. Therefore, they **do not require a prohibition exemption** and may proceed as part of a project permitted under this Timber Waiver without any additional notification or authorization.

**Table 2: Timber Harvest and Vegetation Management Activities within SEZs and 100-year Floodplains in the Truckee and Lake Tahoe Hydrologic Units (HUs) Which Do Not Violate Waste Discharge Prohibitions.**

Activity	100-year Floodplains (Lake Tahoe and Truckee HUs)	Stream Environment Zones (Lake Tahoe HU)
Hand crew operations	Prohibited discharges to 100-year floodplains or permanent disturbance in SEZs do not occur if activities meet the eligibility criteria and comply with the conditions of Waiver Category 2.	
Over-snow equipment operation	Prohibited discharges to 100-year floodplains or permanent disturbance in SEZs do not occur if activities meet the eligibility criteria and comply with the conditions of Waiver Category 4.	
Operations on existing roads	Prohibited discharges to 100-year floodplains or permanent disturbance in SEZs do not occur if activities meet the eligibility criteria and comply with the conditions of applicable Waiver Category.	
Prescribed burning	Prohibited discharges to 100-year floodplains or permanent disturbance in SEZs do not occur if activities meet the eligibility criteria and comply with the conditions of applicable Waiver Category.	
Operation of equipment with less than 13 psi ground pressure, off existing roads in SEZs and 100-year floodplains	Prohibited discharges to 100-year floodplains do not occur if activities meet the following conditions: a. Equilibrated groundwater levels are at least 2 feet below the soils surface. b. Soils are dry (as defined in Attachment A) to a minimum depth of 12 inches. c. Eligibility criteria are met and conditions of applicable Waiver Category are compiled with.	Permanent disturbance in SEZs does not occur if activities meet the following conditions: a. Equilibrated groundwater levels are at least 2 feet below the soils surface. b. Soils are dry (as defined in Attachment A) to a minimum depth of 12 inches. c. Eligibility criteria are met and conditions of applicable Waiver Category are compiled with.
Construction and removal of temporary watercourse crossings	Prohibited discharges to 100-year floodplains do not occur if activities meet the following conditions: a. Temporary stream crossings are constructed with clean cobbles or logs. b. Stream crossings are completely removed at the end of operations, or prior to the winter period (as defined in Attachment A), whichever is sooner. c. Eligibility criteria are met and conditions of applicable Waiver Category are compiled with.	Permanent disturbance in SEZs does not occur if activities meet criteria delineated on p. 5.13-2 of the Basin Plan:  "Crossing of perennial streams or other wet areas shall be limited to improved crossings in accordance with the [TPRA] BMP handbook or to temporary bridge spans that can be removed upon project completion or the end of the work season, whichever is sooner, and damage to SEZ associated with a temporary crossing shall be restored within one year of removal."
Chipping and mastication	Prohibited discharges to 100-year floodplains do not occur if activities meet the following conditions: a. Chipped or masticated material is incorporated into the soil, or b. Chips do not exceed an average of two inches in depth, with a	Chipping does not result in "permanent soil disturbance" in SEZs (reference Basin Plan p. 5.2-4). a. Chipped or masticated material is incorporated into the soil, or b. Chips do not exceed an average of two inches in depth, with a

Activity	100-year Floodplains (Lake Tahoe and Truckee HUs)	Stream Environment Zones (Lake Tahoe HU)
	<p>maximum of four inches.</p> <p>c. Eligibility criteria are met and conditions of applicable Waiver Category are compiled with.</p>	<p>maximum of four inches.</p> <p>c. Eligibility criteria are met and conditions of applicable Waiver Category are compiled with.</p>
<p>Repair or replacement of permanent crossings for existing roads, when new crossing is same size as existing.</p>	<p>Prohibited discharges to 100-year floodplains do not occur if activities meet the following conditions:</p> <p>a. Repair or replacement does not involve the loss of additional floodplain area or volume (reference Basin Plan p. 5.2-6)</p> <p>b. Eligibility criteria are met and conditions of applicable Waiver Category are compiled with.</p>	<p>Discharge prohibitions to SEZs do not apply to:</p> <p>a. Maintenance, repair or replacement of an existing structure that does not result in greater land coverage (reference Basin Plan p. 5.2-4).</p>

Attachment O  
California Regional Water Quality Control Board  
Lahontan Region

## **Monitoring and Reporting Program for U.S. Forest Service Projects Enrolled Under Timber Waiver Categories 4 or 6**

### Overview

Monitoring is required for U.S. Forest Service projects enrolled in Timber Waiver Categories 4 and 6, pursuant to Water Code section 13267. The U.S. Forest Service shall satisfy the monitoring requirements for these categories through a combination of its *Best Management Practices Evaluation Program* (BMPEP) and project-specific implementation monitoring plans, or by complying with the monitoring and reporting requirements of the Timber Waiver. The monitoring requirements and forms for Timber Waiver Categories 4 and 6 are found in Attachments D, E, G, H, I, J, and L.

### Implementation Monitoring Requirements

If the U.S. Forest Service does not use Timber Waiver implementation monitoring forms found in Attachments D, G, or H, then U.S. Forest Service watershed staff shall create a project-specific implementation checklist that will be used by U.S. Forest Service personnel to verify that all BMPs are installed prior to November 15 of any year of operations. This blank checklist shall be submitted to the Water Board with the project's Timber Waiver Category 4 or 6 application. All U.S. Forest Service projects that propose winter period operations shall also utilize a daily winter monitoring checklist (Attachment E, or a form that records equivalent information).

Implementation monitoring reports shall be submitted to the Water Board by January 15 and July 15 of each following year. The report shall include the completed BMP implementation checklist and identify any instances where BMPs were not implemented as required and any corrective action that was taken. If no corrective action was taken, but was identified as necessary, the U.S. Forest Service shall specify a schedule for corrective action to be completed.

### Forensic and Effectiveness Monitoring Requirements

#### **Watersheds below Threshold of Concern and not on Clean Water Act Section 303(d) List**

In watersheds **that are not elevated above the TOC by project activities**, the Forest Supervisor's Office shall submit an annual BMPEP report for all activities on the Forest to the Water Board by July 15 of each year. This report will satisfy the forensic and effectiveness monitoring requirements for all projects enrolled under the Timber Waiver. If the BMPEP report identifies failed or ineffective BMPs for projects enrolled under the



Timber Waiver, U.S. Forest Service staff shall submit a supplemental narrative that addresses when corrective action will be implemented.

**Watersheds at or above the Threshold of Concern or on Clean Water Act  
Section 303(d) List (Projects enrolled in Waiver Category 6 only)**

In watersheds **that are at or above the TOC, or that will be elevated above TOC due to project implementation, or are in watersheds with 303(d) listed waters impaired for sediment**, U.S. Forest Service watershed staff shall submit a monitoring report that utilizes the BMPEP protocols to evaluate the effectiveness of implemented BMPs within the Category 6 project area (U.S. Forest Service projects enrolled in Waiver Category 4 are not subject to this requirement). BMPEP protocols shall be applied at focused “high risk” sites rather than on a random basis to assess the effectiveness of the applied BMPs. This report shall be submitted to the Water Board by July 15 following each year of project activities. If the focused monitoring utilizing BMPEP protocols identifies failed or ineffective BMPs, U.S. Forest Service staff shall submit a supplemental narrative that addresses when corrective action will be implemented.

The U.S. Forest Service BMP handbook can be found at the following link:

[http://www.fs.fed.us/r5/publications/water\\_resources/waterquality/water-best-mgmt.pdf](http://www.fs.fed.us/r5/publications/water_resources/waterquality/water-best-mgmt.pdf)

Chapter 15 of the handbook is the BMPEP user’s guide.